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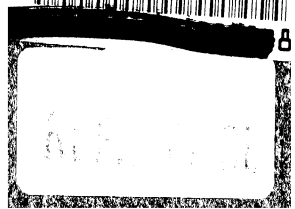
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THE WAR AGAINST OPIUM.



THE INTERNATIONAL
ANTI-OPIUM ASSOCIATION
PEKING.

TIENTSIN:
TIENTSIN PRESS, LTD.
1922.

PRESIDENT HSU SHIH-CH'ANG



President Hsu ordered the destruction of \$37,000,000 (Chinese Currency) worth of opium, the balance of the Indian opium stocks, which had been infamously purchased by his predecessor.

除無窮之害

黎元洪



"Eradicate this Endless Evil"
(Proclamation by Ex-President Li Yuan-Hung)

A MESSAGE FROM EX-PRESIDENT LI YUAN-HUNG.

(Translation.)

The greatest evil from which China has ever suffered has been the Opium traffic. Anyone who becomes a victim of this habit, especially if he be a young man, will lose valuable time, ruin his work and spoil his health, and when the habit becomes stronger it is almost impossible to break it. He will sell his property, even to his wife and children, for the sake of buying opium. The evil of the morphia traffic is if possible even greater. Persons who take to these drugs not only endanger their health, but ruin their reputation and business. The race and blood of the country are also affected. Therefore, when I was the Tutuh of Hupeh Province, I ordered the officials of various districts to search for opium and burn it, and the opium so destroyed was valued at hundreds of thousands of dollars. Not long after I received reports that the morphia traffic was spreading. I ordered the arrest of all who were selling morphia, and shot one man as a warning to others. In this way I attempted to eradicate the evil from China. For any one addicted to opium has no virtue, and shrinks from no illegal action. I feel extremely sorry that the people have lost their virtue through opium, and will support any effort to suppress it. The *Peking & Tientsin Times* has conducted a campaign against this evil, and published a *Black List* to warn the public. I am always interested in this paper, for its enterprising actions, and therefore I have gladly written the above words to congratulate this paper and to express my best wishes for China.

LI YUAN-HUNG.

PREFACE.

FORMATION OF THE INTERNATIONAL ANTI-OPIMUM ASSOCIATION.

During the latter days of the Imperial Government and the first years of the Republic it was recognised on all sides that the Chinese were making strenuous efforts to stamp out cultivation of the poppy. They were genuinely anxious to justify gradual restriction of the importation of Indian opium by a corresponding decrease of home production and incidentally to free the country of the most deadly and insidious of all menaces other than disease or war which had, up to that time, threatened any of the old races of the world. The fact that total abolition of importation of foreign opium would be secured by special efforts to abolish home cultivation, was however a strong stimulus, the importance of which was well realized by foreigners of long residence in China. The vast area of the country and want of communications have hitherto caused the Chinese to be more a group of races than a nation. A foreign menace to a country as a whole tends to bind the fibre of nationality and the ten years leading up to 1917, by providing the possibility of abolition of a common foreign menace, added the weight of a growing nationalism to the moral forces working against drug cultivation and drug trading in China.

With the expiration of the Indian Opium Agreement in 1917 the whole of this special stimulus was removed and it was left to a people almost as diverse in races as, and more isolated by want of internal communication than the peoples of the continent of Europe, to combat increase of drug production and traffic by means of officials frequently having little in common with the inhabitants of the regions under their control. In no case had any of these officials adequate revenue to replace the large taxation collected from provinces, certain of which had within a decade been annually producing thousands of tons of a drug so valuable as to be sold by the ounce and the whiff.

Such were the conditions when North China was visited in 1918 by Mrs. Hamilton Wright whose name requires no introduction to those who have followed the cause of opium suppression during this century. At the instigation of Mrs. Hamilton Wright, Major A. E. Wearne, M.C., Reuter's correspondent at Peking who had

recently returned from service with the Australians, called a meeting which resulted in the formation of this Association. Dr. G. E. Morrison, another Australian, Bishop Norris, Messrs. Bevan, Davis, Edwards, Hillier, Lowry, Ramsay, Ridge, Strong and the Rev. Arthur Sowerby, all Peking residents, were present. Much valuable assistance was secured from the moral support given to the movement by the Chinese Customs. Mr. A. E. Blanco of that service did much to emphasize the importance of the morphia trade. His long experience of international customs procedure has gone far to provide efficient means of combating the international traffic in drugs, possible in a large measure on account of intricate customs technicalities of which special knowledge and experience are difficult to secure and possessed by few. The Rev. Arthur Sowerby was given special charge of the movement. To his eloquence and untiring energy, supplemented by exceptional mastery of the Chinese language and a lifelong intimacy with conditions in China, have been very largely due the series of successes which have been won by the Association and its Branches.

From the commencement the Association has been favoured by the goodwill of H. E. President Hsu Shih-ch'ang, and when the organization had sufficiently developed to admit of an approach to His Excellency, President Hsu very graciously consented to accept an invitation to become its patron. The late Premier, H. E., Chien Neng-hsun, and the present Premier, H. E. Chin Yun-peng consented to become Vice-Patrons, while many of the Chinese Cabinet Ministers have been willing to form an Advisory Board, and for this countenance and recognition on the part of the leading statesmen of China the Association is deeply grateful. The Association must also gratefully acknowledge the help and sympathy of the Provincial Governors of Chihli, H. E. Tsao Jui, Shansi, H. E. Yen Hsi-shan, and Honan, H. E. Chao Ti, as well as that of Admiral Tsai Ting-kan and Dr. Ni Wen-teh, Secretary to the President. It also owes much to the support of Sir John Jordan, lately H. B. M. Minister in Peking, Sir Francis Aglen, Inspector General of the Chinese Customs, and Doctor G. D. Gray, Medical Officer of the British Legation in Peking. Due acknowledgement must be made to the Press for its great assistance in the Association's work. To Mr. H. B. Woodhead, C.B.E., Editor of the Peking and Tientsin Times is largely due the successful issue of the anti-opium supplement of the Peking and Tientsin Times. At the time of the formation of the Peking Association a society known as the Anti-Narcotic Society was started in Tientsin. The influence of Mr. A. G. Robinson and the energy and ability of Mr. Y. S. Djang have done much to give this society an extraordinary measure of success. A similar association was formed by Dr. Wu Lien-teh and A. J.

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Warnshuis, D.D., in Shanghai. These associations joined their activities to the Peking organization and several more Branch Associations have been formed. On October 1, 1920, a list of the Branches was as follows: Tientsin, Shanghai, Kaifengfu, Changsha, Hankow, Soochow, Yencheng, Taiyuanfu, Tsinanfu and Canton with nearly 200 sub-branches. It is hoped that in the near future the whole of China will be covered by Branches of the Association.

At the close of hostilities in Europe a telegram was sent to Premier Lloyd George urging him to impress upon the League of Nations the importance of restriction of the cultivation of opium throughout the world to actual medical requirements. This matter was actively pressed by Sir William Collins who was urgently advocating the anti-opium cause in London. To this action no doubt was largely due inclusion of the question of ratification of the Hague Convention in the Peace Treaty. As a result, enemy countries which had previously refused to ratify the convention were compelled to do so. Encouraged by this early reward of its efforts, the Association has been able to press forward and to secure striking results, more especially in anti-narcotic legislation.

It was recognized from the start by the Association and its branches that headquarters in Peking would secure exceptional opportunities in obtaining information as to the state of poppy cultivation in China and the drug traffic in general, in the securing of international publicity, in exposing the true state of affairs and in securing legislation in support of the suppression of cultivation and of the traffic in general.

RESULTS ACHIEVED BY THE ASSOCIATION.

1. The most important result of the Association's work, other than those already noted, has been the bringing to bear of public opinion, both Chinese and foreign, upon the drug question in the East. Next perhaps in importance is the exposure of the inadequacy of legislative conditions which, for instance, have for years allowed vast quantities of morphia to be manufactured in, and transported across, the United States; which permit the individuals of nations to commit with impunity against those of other nations acts such as large-scale sales of morphia, which in their home countries are serious crimes. The Association has pointed out that few nations have, in accordance with the spirit of Art. 16 of the Opium Convention, taken steps to apply pharmacy laws to their nationals resident in China.

The Association has brought to light the fact that there exists no effective service in China for prevention of import and export of opium and other drugs. The Chinese Maritime Customs has as its main object the collection of duties at the Ports and not the watching of China's far-flung coastline. This function appears to be intrusted to police forces of doubtful efficiency. There exists no special body comparable to the coastguard service in foreign countries.

2. As a result of the Association's work the Japanese Government in the fall of 1919 issued new Consular Orders requiring a more stringent control of the narcotic traffic in China. In response to protests against the conditions in the Kwantung Leased Territory and at Tsingtao, the Japanese Government announced through its Legation at Peking, on October 5, 1920, that "it has been definitely decided entirely to abolish the opium monopoly system in the two localities in question in the course of this year". It further announced that "as regards illegal traffic in general in these territories, it is already a long time since it was prohibited and now the local authorities have been warned to exercise special diligence against the sale of such drugs not for medical purposes."

3. Steps have been taken to call the attention of the International Postal Congress to the evils resulting from the shipment of morphia by parcel post. These steps, thanks largely to the support of M. Picard Destelan, Director of the Chinese Postal Administration and a member of the Association, have been successful and fresh regulations have been introduced.

4. The attention of the British Chambers of Commerce in Shanghai was drawn in 1919 to the harmful nature of the opium and morphia trade with the result that the following resolution was

"That this Conference of British Chambers of Commerce assembled at Shanghai is convinced of the necessity for immediate action by the British Government with regard to the opium and drug traffic, and that in the best interests of Great Britain's prestige and of the commerce in the Far East, the Government should give immediate effect to the various measures which the International Opium Conference agreed to in 1912, at the Conference in respect to "Raw Opium", Medicinal Opium, Morphia, Cocaine, etc., without waiting for the ratification by other countries, and would especially urge the British Government to control the production of such habit-forming drugs, to limit their production to the amount required for legitimate medicinal use, and to limit their export to such countries as have established Laws and Regulations which effectively control the traffic in these drugs and restrict their use to legitimate purposes only".

5. The Association has from time to time drawn up detailed memoranda to be brought to the attention of important political personages and organizations visiting Peking. In the drawing up of these documents it was found that great inconvenience and delay were caused by the difficulty of collecting reliable data from the numerous sources providing them. In consequence it was decided by the Board of Directors of the Association to prepare a volume dealing with the whole question as concisely as possible and including a collection of the chief documents bearing upon the subject.

The present volume is the result. Individual chapters have been prepared by the following:—

L. R. O. Bevan, Esq.
 Grover Clark, Esq.
 Kathryn B. Clark.
 Dr. Douglas Gray.
 Rev. Arthur Sowerby.

Thanks are also due to Mrs. Grover Clark and Dr. Graham Aspland, the General Secretary of the Association, for their work of proof reading and putting the book through the press: also to Mr. Bernard Read for his article in the Appendix on the Chemistry of Morphia and its derivatives and to Mr. Sheldon Ridge, for his kind assistance in preparing the Index.

In view of the seriousness of the cultivation of poppy in China, the Association in Peking made extensive enquiries, in which their missionary correspondents rendered great assistance, especial thanks being due to the missionaries of the Roman Catholic Church in China. The results will be found in Chapter III, and on the accompanying map.

The map and much of the letterpress have been prepared by Mr. & Mrs. Grover Clark. The main work of co-ordinating and condensing the vast amount of material dealt with has fallen to the Rev. Arthur Sowerby. Miss La Motte has kindly permitted the use of her book "The Opium Monopoly". Extracts from the official organs of the Anti-Narcotic Societies have been freely used.

It is hoped that a presentation of the existing state of affairs may bring to those who are capable of assisting the Association in China a realisation of their exceptional opportunity for carrying on a great work without necessarily much expenditure of time or energy. The illicit opium and drug trades are enterprises in which vast amounts of capital are engaged, with great financial profit. To destroy them will be no easy task. The Association's work consists largely in the directing of those forces which already exist for the suppression of illicit production and traffic, and the forging of fresh legislative weapons when necessary. It has fallen to foreigners resident in China to carry on much of this work and it is to such as owe to China something of what she gives and has given them and who realise the necessities of the case, to do that which remains necessary to abolish a long-standing and far-reaching abuse.

It was recalled in October, 1914, in transmitting the final protocol of the third International Opium Conference that one of the first objects attained in 1815 at the Congress of Vienna, after the close of the Napoleonic wars, was abolition of the Slave trade. If as a result of the Great War there be secured, as now seems probable, close supervision of opium-production and of the narcotic drug trade, it will be felt by many that the last hundred years will have registered another step in the progress of humanity, also that another and not the least important of their victories will have been added to those forces which won the Great War.

W. F. COLLINS.

Peking, 1922

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THE CONSTITUTION OF THE INTERNATIONAL ANTI- OPIUM ASSOCIATION, PEKING.

ARTICLE I.—This Association shall be called the International Anti-Opium Association, Peking.

ARTICLE II.—The Head Office of this Association shall be in Peking.

ARTICLE III.—OBJECTS.

The objects of this Association shall be :—

- A. To secure restriction of the production and use of opium, morphia, cocaine, heroin, and allied drugs, to legitimate uses in all countries.
- B. To assist in procuring comprehensive legislation and its adequate enforcement, prohibiting the planting and cultivation of the poppy throughout Chinese territory.
- C. To assist in erecting an international institution whereby traffic in the above mentioned drugs in excess of legitimate medicinal requirements shall be entirely suppressed.
- D. To co-operate with Branches of this Association and similar organizations in China, and elsewhere.

ARTICLE IV.—METHODS.

Towards these ends the Association proposes :—

1. To secure the immediate enforcement of the Articles of the Hague International Opium Convention of 1912-13.
2. To conduct an investigation into the prevalence of the use of these drugs, and of their derivatives, and to compile such facts and statistics as will be useful in the attainment of the objects stated above.
3. To conduct a campaign of publicity and education, through the Press, lectures, and special literature, with a view to creating an effective public sentiment against the wrongful use of these drugs.
4. To assist in the enforcement of all existing laws, relating to the above mentioned drugs, through the exposure of offenders, and through moral pressure brought to bear upon the authorities concerned in all countries.

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ARTICLE V.—PATRONS AND OFFICERS.

The International Anti-Opium Association, Peking, shall be controlled by a Board of Directors, consisting of not less than twenty persons with power to add to their number, elected at the Annual meeting of the Association.

The Offices of the Board shall be the President, not less than two Vice-Presidents, Treasurer, and General Secretary, who shall be the chairmen of the Executive Committee. There shall be an Executive Committee which shall be elected by the Board of Directors, and which shall consist of not less than twelve persons, of whom four shall constitute a quorum.

There shall be a Chairman and Vice-Chairman of the Executive Committee.

The Board of Directors shall meet every month.

All important decisions shall be communicated to Branches of the Association as may be necessary.

The Executive Committee may appoint assistant Secretaries with adequate remuneration.

ARTICLE VI.—MEMBERSHIP.

Membership of this Association shall be open to all persons who sympathise with its objects and accept its constitution.

The forms for application for members shall be obtained from the Secretaries, and on being properly filled up, and endorsed by a member of the Association, the applicant will become a member on payment of an Annual fee of \$1. The payment of \$20 will secure life membership exempt from any annual fee. The Board of Directors reserve the right to refuse or cancel membership, without assigning reason.

ARTICLE VII.—ANNUAL MEETING.

There shall be an Annual Meeting of the Association to be held before the end of March, the date to be fixed by the Executive Committee, and due notice to be given through the Press. Officers for the ensuing year will be elected at the Annual Meeting. Special meetings of the Association may be called by the Executive Committee.

ARTICLE VIII.—AMENDMENTS.

The Constitution shall be amended only by a two thirds vote of those present at an Annual Meeting, or at a Special General Meeting called for the purpose, and after a week's notice properly announced in the Press.

Members of the Association have the right to propose amendments which shall be voted upon at the Annual Meeting, provided such proposals are submitted to the Board of Directors two weeks in advance.

NOTE:—Branches of this Association may be formed in other centres on communication with the Central Association.

PRACTICAL MEANS OF CONTROLLING THE TRADE IN NARCOTICS.

The Board of Directors of the Association has formulated a set of requirements the enactment of which by the legislatures of the world, it is believed, would go far to limit the trade to those medical uses for which it is necessary.

Nothing short of Government control of Manufacture will put an end to clandestine movements of habit-forming drugs such as Morphia, Heroin, Cocaine, etc., etc. The system of control after production should be under Licences and Bonds, only those handing in a Bond guaranteeing to abide by the Regulations made by the Government, to be issued a Licence; only holders of a Licence being authorised to be in possession of the drug.

Regulations intended to control morphia from the time it leaves the manufactory to the time that it is administered by a duly qualified medical officer should provide for:

1. Manufacture by the State or under State control.
2. If manufactured under State control not more than one manufacturing chemist authorized to manufacture.
3. Government official to be attached to factory to control all narcotics entering in a raw state and coming out as a finished product.

Daily records to be kept by the manufacturer and submitted to Excise or Customs Officer for verification and signature.

All morphia and similar drugs to be stored in a special warehouse set apart for such drugs, and books showing all entries into and outgoings to be kept. Warehouse to be under purely Government control.

4. No supplies to wholesale chemists or druggists without production of a License and PERMIT.
5. No License to trade in such drugs to be issued by the Government unless applicant guarantees to keep a true record of all transactions and to sell only to a person handing in a PERMIT issued by the Government and showing the amount authorized to be purchased.

6. No fresh stock to be purchased without PERMIT AND ACCOUNTING FOR FORMER STOCK.
7. No PERMIT to purchase to be issued to cover Morphia intended for export to a country whose regulations for the control of the Morphia once landed have not been approved of by the Government of the exporting country.
8. No Permits to export to be issued for amounts in excess of legal requirements, i.e. in excess of amount required for purely medical use, and even then first to ascertain how much of the drug so required has been produced in the country seeking to import and how much has been purchased from other countries.
9. Steps should be taken to tabulate the legal requirements of all countries and to aim at limiting the world production to that amount.
10. The system of control of distribution to be such as to allow the drug to be traced back step by step to a State-controlled Factory.
11. Morphia and similar drugs to be put up by the Government in containers of different sizes, each package in the series lettered and numbered to facilitate tracing.
12. No exportation to be allowed to any country whose Anti-Opium Laws do not constitute a real guarantee that the drug will not be misused.

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CHAPTER I.

EARLY HISTORY OF THE OPIUM QUESTION IN CHINA FROM THE SEVENTH TO THE END OF THE NINETEENTH CENTURY.

EARLY USES OF OPIUM IN CHINA.

Opium and its uses have been known in China from the seventh century A.D. The opium producing poppy is mentioned in Chinese literature as early as the T'ang Dynasty. In the twelfth century a writer on medicinal subjects mentions the use of the capsules in preparing a paste "made up into cakes shaped like a fish," and further references to the "fish cake" paste occur in writers of the thirteenth and fourteenth centuries, one of them stating that "it is used also for diarrhoea and dysentery accompanied by local inflammation; though its effects are quick, great care must be taken in using the medicine for it kills like a knife." This paste is opium, but mixed with the vegetable substance of the capsule. The first reference to scoring of the fresh capsule *in situ* to obtain the unadulterated juice which after treatment is opium, is in the writings of Wang Hi (1488) who was for twenty years governor of Kansu, where he no doubt came in contact with Mohammedans, from whom he could learn of Arab arts and industries. In the "Eastern Treasury of Medicine", a Korean work of the same period, is given an exact account of the method of scoring the capsule, gathering the exuded juice and drying it in the sun, much as is the practice to-day. The "Introduction to Medicine", by Li Ting in the middle of the sixteenth century, gives a similar account of the method of preparing opium. The opium poppy has, then, been known in China for at least thirteen centuries, its medicinal use for nine centuries, and that the medicinal properties lay in the capsule, for six centuries. Opium in its modern form has been produced in China for four centuries or more. Thus it is that Morse in his authoritative work on China sums up the early history of opium in China.

The scanty mention of the drug in earlier Chinese literature, and the absence of Imperial Edicts for its control or prohibition are evidence that its use was not widespread, and that it is not till recent times that the taking of opium becomes a common indulgence and a menace to national health and prosperity. Chinese literature and legislation are not wanting when the subject is wine and

other intoxicating liquors. A thousand years before Christ, the second king of the Chow Dynasty is compelled to issue a manifesto on the use and abuse of wine. He has a soft spot for those who having done their work look upon the wine when it is red, but he points out that the best rulers have always abstained from drink; and he advises the heads of the great feudal houses, the Ministers of War, Works and Agriculture to go and do likewise. The Odes contain many a verse depicting the delights, and warning against the evils of the cup that cheers and inebriates. And so throughout the succeeding dynasties emperor after emperor warns and forbids, while poet after poet often with joy, but sometimes with sadness, sings of the juice of the vine and distillations from the many kinds of grain. But there is nothing of this with regard to opium; and it is not until 1729 that the first anti-opium edict was issued by the Emperor Yung Cheng.

OPIUM SMOKING.

Morse says, "Speaking generally, while all other opium using peoples take it by the mouth and stomach, the Chinese alone smoke it; and opium smoking came into China through tobacco smoking". The Spanish entered the East through the West, and brought with them to the Phillipines the American narcotic tobacco. They traded with China through Chinese merchants from Amoy and Chingchow, and in this way tobacco was brought to Fukien early in the seventeenth century. The Dutch were masters in Formosa from those days until past the middle of the century. They were accustomed to mix opium with the smoking tobacco, probably to counteract the malaria that abounds in the jungles of the island; and from Formosa the habit spread to the mainland through Amoy. There is practically no evidence to show when opium was first smoked by itself. In the account of Lord Macartney's embassy in 1793, the only reference is to "opium and odorous ingredients for smoking" in the section devoted to an account of the use of tobacco. Morse thinks that it is probable that opium was not much, if at all, smoked by itself before the year 1800. Two hundred years before, and during the seventeenth century, edicts had been issued prohibiting tobacco smoking, but there is no anti-opium edict until Yung Cheng's in 1729. By this edict the Emperor prohibited the sale of opium for smoking and the opening of smoking divans. In that year the Portuguese traders from Goa and Daman imported not more than two hundred chests. It is impossible that the importation of an annual amount of opium not exceeding two hundred chests could have called for an edict prohibiting so trifling a supply; and, that the Emperor's decree was not considered as directed against the import, is shown by the gradual and unconcealed increase at the rate of twenty chests a year. In the *Hoppo Book* of 1753 which

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is based on tariffs of 1687 and 1733, this latter year being four years later than the year in which Yung Cheng issued his edict, opium is included as paying Taels three a picul. These facts make it clear that during the eighteenth century the import of foreign opium was sanctioned as being a medical drug, and that the edict of 1729 was directed against opium smoking and was not intended to prohibit the importation of opium as such.

The business was in the hands of the Dutch till 1773. In that year English merchants engaged in the trade from Calcutta, and the importation increased at a more rapid rate. In 1781 the East India Company took the trade into its own hands, and by 1790 the export from India stood at some four thousand chests.

IMPORTATION FORBIDDEN FROM 1800.

In 1780 a new Viceroy was appointed to Canton, who had "the reputation of an upright, bold and rigid minister". He determined to apply the Imperial restriction to importation of the drug as well as to its sale for smoking. The evils resulting from the use of opium were year by year becoming more apparent; while the rapidly increasing imports are evidence that the imported opium was being used for other than medicinal purposes. In 1796 the Emperor, in response to a memorial from the Canton viceroy, renewed with increased penalties all earlier edicts; and finally in 1800 the last step was taken when the Emperor Kiaking issued his edict prohibiting the importation of opium from abroad, and the cultivation of the poppy at home. From this date the traffic became contraband; and about the same time smuggling became organized by detailed arrangements made between the importer and the officials at Canton and elsewhere along the Coast.

OPIUM IMPORT FROM 1800 TO 1822.

Before 1800, opium in the trade of Canton was a commodity like any other. Smokers and retail dealers on shore might or might not come within the clutches of the law; but afloat there were no prohibitions or restrictions. Economically it played its part in reducing the serious drain on the Western world's reserves of silver. It was an import that tended to balance the export of tea, being handled openly and sold as any other commodity of the ship's cargo through a member of the *co-hong*. After the issue of the prohibitory edict this course could no longer be followed. But there was no difficulty in finding a means by which opium could enter China, and this in ever increasing quantities. The East India Company ceased to carry opium in its own ships, but found it impracticable to prohibit the shipments of opium from England or India to China.

The Company, however, was responsible for the production of that portion of the drug which came from Bengal, and for its sale in Calcutta; but it had no connection with opium from Malwa or Persia, though from 1822 it was decided to buy four thousand chests a year of Malwa opium and to add these to the periodic sales at Calcutta.

OPPIUM RIGIDILY PROHIBITED: DEPOSITED AT THE ISLAND OF
LINTIN.

During the first twenty years of prohibition of the import no serious attention was paid to the edict. It was true that no customs duty could be levied on the prohibited article; and the opium could no longer be taken to the factories in Canton, but was sold by sample at Macao, or from the ship's side. The importer received "spot cash" for his sales and had no further concern. The Chinese buyer made all his arrangements with the officials, and found all eyes closed, even those on government boats lying alongside the importing ship. At first this procedure was carried through at Whampoa; but after 1821 in consequence of disagreements between officials, the Viceroy, though cognizant of the facts, was forced to take notice of them, and indicated his intention of rigidly enforcing the prohibition edict. This resulted in the island of Lintin at the entrance of the Canton estuary, regarded at the time as being in the "outer seas," becoming the place of discharge for the prohibited drug.

THE TRADE AT LINTIN ISLAND.

The procedure at Lintin is described by Morse as follows: "A ship arriving with opium on board called in at Lintin and discharged it into the store ships, and then went on to Whampoa with her legitimate cargo. The consignee sold by sample for cash; never at first, and only occasionally in later years, on credit, and gave the Chinese buyer a delivery order. The latter made all arrangements with the officials, and took delivery from the store-ship. There the opium was always taken out of the chest, which did not leave the ship, and was packed in mat bags of convenient size and placed in fast armed boats, with crews of fifty to seventy men. This was done in the face of day, with no concealment, and frequently in full sight of the guard boats, which were constantly going in and out of the anchorage. Frequently the guards would report that they had swept the outer seas of shipping, although there was no evidence that this had been done; often a proclamation was issued by the viceroy commanding ships in the outer seas to sail away, which they never did; but never, till 1836,

was Lintin mentioned by name, and never until then was there any real attempt to stop, or even check, the trade. Occasionally a newly arrived official in high position would have to take his time to understand the situation, and the machinery would be temporarily dislocated; then a buyer might return with the tale of his difficulties and would get his money back; but always the machine was set running again, and the trade went on. Being a cash trade on an open market, it was attended with far fewer difficulties than the sale of English or American products, which must be sold to the security merchant on credit; and it offered the easiest way of providing the means of getting a return cargo. The result was an expansion of the trade, the import increasing from an annual average of 4494 chests in the period 1811-1821, to an average of 9708 chests in 1821-1828."

SPREAD OF THE TRADE EAST AND NORTH.

In 1828 the viceroy issued a proclamation denouncing the evils of opium smoking and ordering the rigorous enforcing of the laws. The result was that from this year, the trade began to spread up the coast to the east and to the north. Store-ships were soon established at Namoa on the border between Kwangtung and Fukien, and also further north.

THE TRADE AT CANTON.

At Canton the smuggling and bribery sides of the traffic were left entirely to the Chinese buyers; but in this new departure, in order to facilitate delivery, some of the initial acts at least of the dirty work of corrupting officials were done by the foreign vendors. And further there was no exchange of commodities up the coast, but actual silver was handed over for the opium sold. No doubt the returning ships used this cash for buying tea, etc. at Canton; but to the Chinese it was a visible draining of treasure from the Eastern districts, attracting the more attention from the facts that the Canton officials had no perquisites therein, and that it was not the trade of the Canton merchants. It also resulted in a large increase of consumption of the foreign opium, the average of some ten thousand chests of the earlier period reaching an average of nearly nineteen thousand for the years 1828-1835. The success of the Eastern trade encouraged like measures in the Canton region; and the foreigner in Canton and Lintin waters began to engage in the smuggling business himself. Morse describes the conditions which brought matters to a crisis thus:

OPIUM AGAIN PROHIBITED: OFFICIAL CONNIVANCE AT SALES.

"These practices altered the conditions under which the opium trade had been conducted. The Emperor might prohibit the trade, and might renew the prohibition by repeated edicts; the Viceroy might issue his proclamation in strict accordance with the Imperial orders, and both Viceroy and Hoppo might enjoin the Hong merchants to obey the law; but Viceroy, Hoppo, Governor, Admiral, Magistrate, and down to the smallest person with the slightest connection with a government office, all connived at the continuous breach of the law, provided only that they found therein their personal profit. This profit they found even greater under prohibition, which enabled them to levy greater amounts, none of which could be reported as revenue; and the fees could be collected without difficulty from the Chinese buyers. Now, however, the foreign smugglers brushed aside the net which had gathered in the illegal fees from an illegal trade, and the officials realised that they were being robbed of the consideration for which they had consented to shut their eyes; and a war of memorials, edicts, proclamations, orders, and repression was begun."

There were memorials urging the legalizing of the trade, and there were memorials praying for complete prohibition and a real enforcement of the laws. The arguments used were moral, economic, and political. Evils resulting from indulgence in the smoking habit, the drain of silver, the spread of smuggling, the corruption of the administration, all were used on one side or the other. This flood of memorials however, without a definite immediate settlement, worked mischief. The opium importers had begun to take those active and aggressive steps which resulted in an increase in the import from an annual average of 18,835 chests from 1828-1835 to fully 30,000 chests from 1835-1839; and they now saw a prospect of an unfettered trade, with hopes so confidently held that they could not credit the reality of the repressive measures which form the history of the next two years. The legalization of the traffic was confidently expected by importers, and private and official opinion alike.

MEMORIALS TO PEKING FOR AND AGAINST LEGALIZATION.

These, then, were the conditions of the opium trade just before the first war with China, creating an environment, on the foreign side and on the Chinese side, which inevitably provided the opportunity for starting the conflagration which marked the breakdown of the impossible relationship which had been gradually developing between China and foreign countries during these early years of their intercourse.

UNSATISFACTORY TRADE CONDITIONS.

Opium provided the opportunity, though the contraband traffic was only one of the elements of the environment in which war sooner or later was unavoidable. Early intercourse with Portuguese and Spaniards was marked by bloodshed and even wholesale massacre. Intercourse with the Dutch only confirmed China in her view of the inferiority of other nations. England's attempts to negotiate direct with the Imperial Government had not met with any measure of success. In spite, however, of national misunderstanding and failure, for a considerable period the trade methods at Canton had worked on the whole smoothly. There was, indeed, much to put up with. The foreign trader was confined to the "Factories" and might be there only for a part of the year. He was denied the company of his wife, and might trade only through the Chinese merchants of the Co-hong who were the sole intermediaries between the government and the foreigner. The actual trade was burdened by all sorts of payments in connection with ship and cargo and all the minor services attending on trade and shipping. These matters were attended to and regulated by the Hong merchants, but were of course paid for by the foreign merchants. Constant trade disputes and claims of jurisdiction resulted in friction and temporary holding up of trading privileges. But the system worked smoothly. The trade brought prosperity to all concerned. The foreign merchant enjoyed his practical monopoly, and had nothing of the extortion thrust under his eyes; the Co-hong paid to countless officials immense sums, but was able to recoup itself many times; while the officials were generally content with their share of the traffic. But there were the seeds, indeed the first shoots, of dissatisfaction. This became more apparent when the East India Company was thrust from its high seat, and the British Government sent a British envoy to assume for the first time the control of the British trade. Then the full light of day was thrown on the system, and then from the side of administrative finance the whole thing was seen to be not a system of taxation but of "milk-ing." Though there was profitable trade for the merchants concerned, it was carried on in a restricted and extravagant fashion, and wholly at variance with the new ideas of freedom of trade and its accompanying government facilities for expanding commercial interests. The foreign merchant was surrounded by an impenetrable veil; he had no access to the markets; he could have no independent knowledge of prices. And this applied equally to exports and imports alike. That the system allowed both Chinese and foreign merchants to accumulate large fortunes says much for the generosity, business capacity, and foresight of the Chinese merchants; but it also emphasises the fact that there must have been

an unnecessarily large price for the actual consumer, which does not in the end mean a good or stable or healthy trade.

ARRIVAL OF LORD NAPIER, 1834.

Up to 1834 China was the admitted master of the situation. China laid down the terms on which alone foreign trade was permitted, and foreign merchants represented by trading interests alone accepted her terms and submitted to them almost without murmur. So long as trade was profitable the merchant was content to accept a position of recognised inferiority. The arrival of Lord Napier in 1834 changed the whole situation. Lord Napier arrived in China not as representative of a trading company, but as the envoy of the British Government, and from that moment the question at issue was that of equality as between sovereign powers.

CONTEST BETWEEN CHINESE AND BRITISH GOVERNMENTS.

Under the authority of an "Act to regulate the trade to China and India," by which the monopoly and the control of the East India Company was abolished and the English trade thrown open to all, Orders in Council were issued to provide regulations for the future. One of these orders proceeded to vest provisionally in the superintendent to be appointed under the Act, all the powers and authorities over trade and traders which hitherto had been vested in the East India Company. Another Order established a Court with criminal and admiralty jurisdiction to be held at Canton, or on board a British ship at Canton, and at its head placed the chief superintendent for the time being. Thus the Chinese were no longer dealing with traders and a representative of traders, but with the envoy of a sovereign power claiming the rights of an agent of the government of an independent state. The contest which now began was a contest between the Chinese and the British Governments. Hitherto the action had been wholly between the Chinese authorities and private merchants. The advent of Lord Napier meant that questions of trade and other matters were subjects of Government concern.

The main elements of strife were four:

1. The claim for equality of treatment as between nations;
2. The opium question;
3. The monopoly of the Co-hong and the irregular incidence of taxation; and
4. Security for foreign life and property from the principles of Chinese law and their inequitable application.

Lord Napier arrived in China to find a settlement for all of these questions, but on all sides met with a blank refusal, or passive resistance. Unable to make any progress he fell sick and died in Macao, and was succeeded in 1836 by Captain Charles Eliot. He, too, in his attempted negotiations with the Chinese authorities met with no greater success than did his predecessor.

CHINESE EMPEROR DETERMINES TO END THE OPIUM TRAFFIC.

This was the environment in which the opium question suddenly became acute. Peking after some hesitation had decided against opium. The "war of memorials" resulted in the determination of the Emperor to put an end to the traffic in opium. In 1839 Commissioner Lin was appointed to carry out the prohibition policy. Shortly after his arrival in Canton he demanded that all the opium in the possession of foreign merchants be delivered up to him, without compensation, on the ground that it was contraband. In accordance with this demand, at the direction of Captain Eliot, some 20,000 chests were handed over to the Chinese authorities all of which were completely destroyed. The giving up of the opium led to further demands, and the conditions imposed upon the foreigners became unbearable. The tension had become so great that a collision was inevitable. The Chinese began to make preparations for war, and after the arrival of two British ships a naval engagement was fought in which a number of Chinese junks were destroyed and sunk. England and China were at war.

CHINESE AND FOREIGN VIEWS REGARDING THE WAR.

To the Chinese opium was the one reason for the war. To the foreigners in general, with the English pushed into the forefront, opium was an incident. Of other grievances there was a long list all weighing on the foreign merchants and calling for remedy. War had been hanging in the air from the time of Lord Napier. War came when it did because the Chinese had precipitated a crisis by a vigorous campaign against opium; and it was only the beginning of a struggle which lasted for twenty years, and which was to decide the national and commercial relations which were to exist between the West and the East. The destruction of the opium may be called the *causus belli*; yet even had Commissioner Lin not set a light to this particular bonfire, the avoidance of hostilities would have been impossible. John Quincy Adams lecturing before the Massachusetts Historical Society in December, 1841, sums up the situation in a terse and picturesque phrase. "This (opium) is a mere incident in the dispute but no more the

cause of the war than the throwing overboard of the tea in Boston harbour was the cause of the North American revolution. The cause of the war is the 'kotow'."

PEACE, AND INCREASE OF OPIUM IMPORTS.

Peace came in 1842. Its terms included an indemnity, the breaking of the Co-hong monopoly, the cession of Hongkong, the throwing open of five ports to foreign trade and the appointment of consuls therein, the imposition of fair tariff rates at the Treaty Ports, and an acceptance of the principle of equality between officials of corresponding rank of the two countries. Trade in opium was not mentioned. The British plenipotentiary had advised that that trade should be legalised as he thought it was impossible completely to prevent it from being carried on; but the text of the treaty is silent on the matter. Prior to the war the trade, though not legalized was fully regulated; but after High Commissioner Lin's mission it was neither legalized nor regulated; and even such restraints as might come from publicity were absent, since the British Official refused to permit the establishment of a depot in Hongkong. The result was to drive the importers into closer relations with the officials who were in a position to impede the traffic at all places along the coast. To what extent they and to what extent the purchasers, made the actual arrangements, and who were the active agents in perverting from their duties the officials of the Emperor, is not known, because the whole traffic during this period is covered by a veil of secrecy and mystery. The result of all this was that the import in 1838 which amounted to 20,000 chests increased to 50,000 in 1850 and 85,000 in 1860.

POLICY OF THE BRITISH GOVERNMENT.

The attitude of the British Government to this expanding trade was logical and consistent, and did not alter through this period. Opium was produced by the East India Company, by Independent Indian Princes, and by Turkey and Persia. England might of course have prohibited the sale by the East India Company, but the general opinion of the world was not so advanced as to compel so decisive a step, not to mention the question of the loss of revenue that would have resulted, and the existing sources of independent supply would even then have been left untouched. Though transport to China was mainly in British ships prohibition of transport would not have been effective, since there were actually ships of other nationalities engaged in the trade, and there were many others which would have taken the place of English ships if they had been prohibited. And further,

along the coast of China as along the coast of France or any other country, it was the business of the government itself to enforce its own laws; and while the British Government would not give its protection to persons or ships engaged in an illegal traffic, it could not on the other hand undertake to enforce the prohibitory laws of China. The evils of the organised contraband trade were patent, and were demoralising to the traders concerned in it, to the officials who connived at the continual infraction of the law and were enriched by it, and to the people for whose indulgence the trade was carried on. It was obviously impossible for the Chinese Court to compel its own officials to enforce the prohibition. These being the facts of the situation, the only course that seemed possible to the British Government was to advocate the withdrawal of the prohibition, the imposition of regulations on the traffic, and the levy of a tax on the opium thus legalised for the benefit of the Imperial Treasury.

The trade generally avoided the five treaty ports where the consuls would have interfered, but as has been pointed out, it flourished and increased by secret and illegal means. It cannot be said however that the opium question greatly contributed to the bringing about of the second war with China, though soon after the war the question was settled by the legalising of the trade, the only way that seemed possible at the time.

TREATY OF NANKING, 1842, A.D.

The treaty of Nanking, 1842, did not finally settle the difficulties between China and the foreigners. In Canton itself its provisions were evaded as far as possible, while everywhere intercourse, whether commercial or official, was hampered in every way. The smuggling of opium, now carried on on the largest scale, did not make the situation any easier. Again in 1856 a particular incident, though this time not specially connected with opium, precipitated hostilities. The case of the *Arrow* was the immediate cause of the outbreak of hostilities, but war again was inevitable whether the *Arrow* and her crew had been illegally interfered with or not. The Chinese still looked upon the foreigners as beneath them in civilization, and refused to treat with them on terms of equality; while the foreigners considered that the Chinese were resisting demands that they might make of any civilised nation, the right to carry on commerce freely, and the right to have their official representatives treated with respect. These were the conditions that made the second war with China inevitable.

TREATY OF 1860, A.D.

The second treaty settlement centering about the year 1860 ended the twenty-five years struggle to decide on what conditions

there should be relations between the West and the Far East. The years 1856 to 1860 saw two wars and a series of treaties and conventions which for the rest of the century settled the relationship of China to foreign countries and the status of foreigners in the empire.

TREATIES OF TIENTSIN.

Just as the treaty of Nanking was silent on the question of opium so there is a similar silence in the four treaties of Tientsin (1858). In Article 26 of the premier treaty, the British treaty, it was provided that a commission should be appointed to revise the Customs tariff; and when in November 1858, the commission agreed on the tariff, opium was quietly inserted in it at a duty of thirty taels a picul. Opium was included with the full consent of the Chinese members of the commission. The first suggestion that the matter should be taken into consideration was made by the American Minister, Mr. William B. Reed who came out to China with a strong bias against the opium trade, and with instructions from his government conceived in the same spirit. He however had become an advocate of the legalisation of the trade from witnessing the abuses to which its contraband character gave rise. The foreign members of the commission decided to bring the matter to the notice of the Chinese commissioners who required no long persuasion. They were fully aware of the evils of what had become an unrestricted trade in the drug, and their government needed the revenue which had for so long a time gone into the pockets of its servants. After approval by the French and American envoys, the tariff was agreed to, including opium. At the same time it was recognised that opium was eminently an article of import which must be left to the unfettered discretion of the Chinese government to deal with. The fifth of the Rules of Trade appended to the Tariff reads as follows:

“Opium will henceforth pay thirty taels per picul import duty.

The importer will sell it only at the port. It will be carried into the interior by Chinese only, and only as Chinese property; the foreign trader will not be allowed to accompany it. The provisions of Article 9 of the Treaty of Tientsin, by which British subjects are authorised to proceed into the interior with passports to trade, will not extend to it, nor will those of Article 28 of the same treaty by which the transit dues are regulated. The transit dues on it will be arranged as the Chinese Government see fit; nor in future revisions of the tariff is the same rule of revision to be applied as to other goods.”

OPIUM TRAFFIC LEGALISED.

Main

It is not easy to judge fairly this step which legalised the trade in opium. Legalising what is found difficult or impossible to control is at best a following of the line of least resistance. It is doubtful whether a bandit chief may be legalised into a lawful and useful general, but it is certain that a contraband and immoral trade will not lose its immoral qualities by being subjected to a process of legalisation. Standards of morality, however, change from one age to another. Public opinion now regards as harmful that which at an earlier period it considered innocuous. In approaching this question of the trade in opium this distinction must be kept in mind: if the smoking of opium is to-day correctly regarded as being harmful, the smoking of opium sixty or a hundred years ago was as a matter of fact harmful at that time also, for the qualities of opium have not changed as time has passed; but if its harmful results were not appreciated then, while they are now, the trade in itself, though now rightly regarded as immoral should not be labelled as vicious at the earlier date. It was a contraband trade, and in spite of prohibition, was increasing by leaps and bounds with ever increasing corruption and evil effects on officials and traders alike. It was this view of the matter, as well as the fact that here was the opportunity for a new source of revenue that led to the legalisation of the trade. The moral aspect of the question, it is true, was not entirely neglected, though it is significant that the ablest champion of those who have insisted on the harmlessness of the narcotic was found in the legal adviser of the opium farmers in Hongkong. But in 1858 the moral side of the question was not the real factor of the problem. Just as the abolition of slavery or the prohibition of intoxicating liquors may become moral issues when public opinion has reached the stage of viewing the holding of slaves and the drinking of spirits as moral evils, so what is regarded to-day as an immoral trade was not an immoral trade years ago when public opinion had not realised its intrinsic harmfulness. It would not, however be profitable, and it would take too much space to argue here one way or the other. Whatever the conditions of the problem were in the middle of the nineteenth century, it is sufficient that at the beginning of the twentieth legislatures the world over have recognised the harmfulness of the narcotic habit, and that the chief States of the civilized world in solemn convention have set their seals to a document that in its every line condemns the trade. No further evidence is needed to sustain the contention that the opinion of the civilized world to-day considers the opium habit injurious and the opium trade immoral.

CHEFOO CONVENTION, 1876, A.D.

The next step in the history of opium is found in the Chefoo Convention of 1876, by which the British Government accepted in principle a proposal that inland taxation (likin) on the drug should be collected simultaneously with the import duty, that is by the Imperial and not by the Provincial authorities. This was made effective by an additional article signed on July 18, 1885, by which the amount of likin was settled at eighty taels per picul, making with the import duty a total of a hundred and ten taels per picul which the Chinese Government was entitled to collect. The establishment in 1887 of the Kowloon and Lappa Customs, to control the junk traffic with Hongkong and Macao, operated further to the benefit of the Imperial exchequer by the restraint thereby imposed on smuggling.

COURSE OF TRADE.

The course of the trade in foreign opium since the legalisation is shown in the following table. In 1863 Tientsin and Chefoo had been opened in the north, and Hankow, Kiukiang and Chin-kiang on the Yangtze. In 1879 the recorded import, 82,927 piculs reached its maximum. The opening of the Kowloon and Lappa Customs in 1887 may be assumed to have reduced smuggling in junks by about 10,000 piculs.

A:—Tables showing amount of opium imported into China and produced in China. The figures in the first table are only approximate.

I

Year	Piculs of Imported opium
1729	200
1790	4,000 from India
1811-1821	4,500 average per year
1821-1828	9,700 " " "
1828-1835	19,000 " " "
1835-1839	30,000 " " "
1850	50,000
1860	85,000

II

	1863 Piculs	1867 Piculs	1879 Piculs	1888 Piculs	1897 Piculs	1905 Piculs	
Manchuria ... ..	...	2,585	2,453	113	28	25	
Chihli	3,708	7,898	5,181	1,555	918	225	
Shantung	873	2,735	3,536	318	320	440	
Hunan } Hupeh }	1,412	4,242	3 294	1,163	519	{ 240 322	
Kiangsi	1,993	2,202	2,153	3,077	2,483	1,715	
Anhui } Kiangsu }	22,389	16,788	{ 3,141 28,199	{ 3,400 22,182	1,557 17,676	1,626 18,077	
Chekiang	2,679	5,047	7,728	6,274	4,873	4,041	
Fukien	9,821	9,238	8,903	13,039	7,877	6,600	
Formosa ... ..	...	2,586	5,552	4,646	...	...
Kwangsi } Kwangtung }	7,212	7,627	12,787	26,845	13,058	{ 22 18,587	
*Other channels ..	20,000	20,000	20,000	5,000	5,000	5,000	
Home Grown	70,087	80,948	102,927	87,612	54,309	56,920	
Total Imported ...	50,087	60,948	82,927	82,612	49,309	51,920	

*Other channels, i.e. by junk, either legitimately, but not reporting to the Imperial Maritime Customs, or smuggled.

One picul equals 133 pounds weight. 16.8 piculs=1 ton.

B :—Table showing amount of different kinds of opium imported.

	Bengal Piculs	Malwa Piculs	Persian Piculs	Total Piculs	
1863	15,120	34,967	...	50,087	
1867	26,297	34,006	645	60,948	
1873	24,300	40,916	587	65,797	
1879	37,952	39,509	5,466	82,927	
1883	27,504	34,632	6,032	68,168	
1888	45,040	33,127	4,445	82,612	
1893	32,416	28,694	6,998	68,108	
1897	26,816	19,635	2,858	49,309	
1901	27,250	21,799	435	49,484	
1905	34,195	16,034	1,691	51,920	
Average } Quantity Per cent	29,689	30,331	2,919	62,936	
	47.2	48.2	4.6	100.0	

NATIVE OPIUM.

This slight historical sketch would not be complete without some remarks about native opium.

Chinese statistics on this matter for the 18th and 19th centuries are non-existent but it is clear that there was a native production of the drug. The first prohibition edict of 1729 could not have been directed against the 200 chests of foreign opium, and it is practically certain that the native production of 1800 exceeded in amount the imported article. From 1830 to 1836 when the question of legalisation or prohibition was being fought in Peking, memorial after memorial contains references to the amount of native opium that was grown in China itself. The smoking habit early in the nineteenth century had extended to the inland provinces while it is improbable that the foreign drug penetrated far from the coast. Morse, while recognising that there are not statistics to support his findings, estimates the production of native opium during the first years of the 20th century, just before the movement to suppress poppy cultivation was instituted by the Chinese Government as follows :—

For the Coast provinces, the annual production, estimated on a conservative basis, is 42,500 piculs.*

For the Yangtze provinces, accessible since 1861 by steamer, the annual production may be put at 10,500 piculs.

For the Inland provinces not accessible at any time except Honan, to the invasion of foreign opium, the annual production may be put at 320,000 piculs.

This makes for the whole of China a total of 376,000 piculs. He adds: "It cannot be asserted that the figure is measurably exact; but it may be safely asserted that the production of opium in China to-day," say the year 1905, "is at the lowest six-fold, and is more probably, eight-fold the quantity of the present import of foreign opium."

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* A picul equals 133½ lbs.

CHAPTER II.

THE PERIOD OF REFORMATION: 1900-1917.

BEGINNING OF REFORM.

"In 1906 Morse estimated the total Chinese production of opium at 22,000 tons (376,000 piculs) and it was also estimated that between 10% and 20% of the male population or $2\frac{1}{2}$ to 5% of the total population of China smoked opium. This alarming growth of the vice caused a strong anti-opium movement to spring up in China, concomitantly with the spread of liberal ideas consequent on the growth of education and the shock administered by the China-Japan War and the suppression of the Boxer Movement."* In 1906 the Government was influenced to issue the following edict: "It is hereby commanded that within a period of ten years the evils arising from foreign and native opium be equally and completely eradicated. Let the Government Council frame such measures as may be suitable and necessary for strictly forbidding the consumption of the drug and the cultivation of the poppy".†

In the regulations interpreting this edict it was asserted that 30 to 40% of the population was addicted to the opium habit. These regulations also provided for prevention of importation of morphia or morphia-injecting instruments. In May 1906 the opponents of opium secured the passing in the British Parliament of a resolution condemning the opium traffic. In 1907 an agreement was made with China by which the export from India was reduced by one-tenth annually for ten years, provided the production of opium in China were reduced *pari passu*; the first three years, however, were to be an experimental period, at the end of which the situation was to be reviewed, and further action considered.

In the same year Mr. Whitelaw Reid, the American Ambassador at the court of St. James, called on Sir Edward Grey and informed him that the American Government was much concerned with regard to the question of opium. This question had been raised in connection with the Philippines, lately taken over from Spain. He requested to know the attitude which the British Government would

**Encyclopaedia Sinica*. S. Couling p. 409.

†Correspondence. China No. (1908) p. 3.

take towards the suggestion of a joint commission in the Far East in order to discover "whether the consequences of the opium trade and opium habit were not such that the civilized Powers should do what they could to put a stop to them".* Sir Edward Grey replied that though a considerable loss of Indian revenue might ensue "that would not prevent the British Government from considering the question or incurring some sacrifice if it was clearly proved that the result would be to diminish the opium habit". The British, Chinese, German, Dutch, French and Japanese Governments in turn accepted the proposal of a Commission which also comprised delegates from numerous other Powers invited. It met at Shanghai on February 1st 1909.

THE UNITED STATES AND THE PHILIPPINES.

In the interval between its inquiry of the British Government in 1906 and its invitation to various Powers to the Shanghai Commission in May 1908 the American Government appears to have satisfied itself that "the consequences of the opium trade and opium habit were such that the civilized Powers should do what they could to put a stop to them". A commission had reported in 1904 in favour of gradual restriction of importation of opium into the Philippines and a law came into force on March 1st, 1908 which read: "it shall be unlawful to import into the Philippine Islands opium, in whatever form except by the Government and for medicinal purposes only, and at no time shall it be lawful to sell opium to any native of the Philippine Islands except for medicinal purposes".† As a result of this modified point of view the American Government suggested to the Powers which had been invited to the Commission, that their respective delegates should independently endeavour:

1. To devise means to limit the use of opium in the possessions of that country.

2. To ascertain the best means of suppressing the opium traffic if such now exists, among their own nationals in the Far East.

3. To be in a position.....to.....offer definite suggestions.....which their respective Governments may adopt for the gradual suppression of opium cultivation, traffic, and use of the drug within their eastern possessions and thus to assist China in her purpose of eradicating the evil from that Empire."

*China. No 1. (1908) p. 2.

†China. No. 2. (1909) p. 5.

THE HOSIE REPORT AND THE RISING FEELING AGAINST OPIUM.

At the end of 1908 Sir Alexander Hosie submitted to the British Government an important report summarising the opium position in China at the time. He placed on record the facts that public opinion was gradually but surely branding opium-smuggling as an evil which must be eradicated and that the Central Government continued to be sincere and zealous in its crusade; that generally speaking, the licensing of wholesale and retail opium shops and of smokers was being enforced, and though inspection of opium shops was insufficient, very considerable progress had already been made in suppression. Anti-opium societies were much in evidence, and were said to be of assistance to the police authorities in unearthing any breach of the anti-opium regulations.¹

On the 2nd of July an ordinance had been passed by the Legislative Council of Hongkong to prohibit the exportation of prepared opium to China and to French Indo-China.

The Chinese authorities expressed the opinion that public cultivation and opium smoking would be abolished well within the period of 10 years previously fixed, and that in the absence of demand the import of foreign opium would ipso facto cease.

In the International Settlement in Shanghai 25% of the opium houses were closed on the 30th June, and arrangements were made by the drawing of lots for the closing of a second 25% on the 31st December.

THE OPIUM COMMISSION AT SHANGHAI.

The Opium Commission sat from the 1st to the 26th of February 1909.² After recognising the unswerving sincerity of China in its effort to eradicate the production and consumption of opium, it recommended that each delegation concerned move its own Government to take measures for the gradual suppression of the practice of opium smoking in its own territories and possessions. It found that the use of opium otherwise than for medical purposes was held by almost every participating country to be a matter for prohibition or careful regulation, and that it was the duty of all countries to adopt reasonable measures to prevent at ports of departure the shipment of opium and other narcotics. It

¹ Report by Sir Alexander Hosie, see D. 4702, China No. 1, 1909. The Opium Commission, etc.

² Delegations were sent by the United States of America, Austria, China, Great Britain, France, Italy, Japan, The Netherlands, Portugal, Persia and Assam

stated the opinion that the unrestricted manufacture, sale and distribution of morphia already constituted a grave danger. It strongly urged all Governments having possessions, concessions or settlements in China to take steps towards the closing of divans, and it recommended that each delegation move its Government to apply its pharmacy laws to its subjects in the Consular districts, concessions and settlements in China.

The United States delegates alone attended the Commission with resolutions which had been already prepared.

In 1909 the Viceroy of Nanking stated that since the promulgation of the Imperial decree in September 1906 the production of opium in some districts had already been reduced 80%, and that in certain provinces cultivation would be abolished during 1909. Mr. Max Muller, in a report subsequent to the sitting of the first Shanghai Commission voiced the disappointment in certain circles that the findings of the Commission gave rise to little more than the expression of hopes and recommendations, for the carrying out of which no adequate machinery existed, and the Commission was given no executive power. As regards the position in Peking itself, Mr. Max Muller remarked: "Dr. Gray, the physician of His Majesty's Legation, who is also at the same time doctor in charge of a hospital where large numbers of Chinese are treated, and who has taken considerable interest in the progress of the opium movement in China, gives it as his deliberate opinion that 'opium smoking has almost disappeared in Peking, at all events among the classes with which I come in contact'. As for morphia, there is undoubtedly a large number of smokers who left off opium and took to hypodermic injections of morphia at the time of the anti-opium edicts".

THE LOSS OF REVENUE SUFFERED BY THE FARMERS.

The Chinese Government made no serious attempt to grapple with the question of providing a revenue to replace that previously raised on opium, other than a decree in 1908 imposing additional taxation on the sale of both raw and prepared opium. Certain of the Viceroys experimented with foreign cereals. In Shansi potatoes were grown in increased quantities, and in Manchuria beans, in order to replace the serious losses accruing to farmers on account of the abolition of the valuable opium crop.

In summing up Mr. Max Muller stated: "I cannot help feeling that we shall find that China has more than fulfilled her share of the bargain, but in order to ascertain this in a convincing and satisfactory manner it will be necessary to secure independent evidence".

The stringent conditions under which opium cultivation was prevented naturally led to serious hardship to farmers in the provinces of Yunnan, Szechuan, and Shensi which depended in large measure upon the opium crops for revenue to the Government and sustenance to the farmer. The province of Szechuan was involved in a commercial and fiscal revolution. New sources of revenue had to be found. The farmer was a keen sufferer, and the landowner was called upon to share in the tenant's loss. Such, however, was the public feeling against opium that there was but little rioting, and the farmers submitted to their losses with surprisingly little complaint.

In 1911, at the end of the experimental period prescribed by the contract for limitation of the opium traffic entered into by the British and Chinese Governments, fresh negotiations were entered into, and on May 8th arrangements were made to continue the agreement for the unexpired period of seven years, H.B.M. Government agreeing to prohibit the importation of opium into such provinces as had suppressed cultivation and import of the native drug, and to discontinue export from India before the seven years had elapsed, provided China could produce proof that production in China had ceased.

THE FIRST HAGUE CONVENTION.

In September 1909 the United States Government invited the Governments which were represented at the Shanghai International Opium Commission to send delegates furnished with full powers to an International Conference to negotiate and conclude an agreement conventionalising the resolutions adopted at Shanghai, so that they might be given international effect. The British delegates to this Conference were instructed to refuse to enter into discussion upon the subjects of the existing treaties between Britain and China, the arrangements regarding the progressive restriction of the importation and production of opium in China, and any resolution specifically affecting internal administration in India or any other portion of the British Dominions.

The Powers represented on this first International Opium Conference at the Hague were limited in number to 12, and were not alone competent to carry out the full extent of international co-operation contemplated by the Convention. Owing to the danger also that the participating Powers might eventually find that they had unavailingly sacrificed their trade interests while outside Powers on whom no such obligation might rest had merely profited by this altruism they found considerable difficulties in their path. Turkey, for instance, though unrepresented, was a considerable

producer of raw opium, while Persia and Bolivia were important producers of cocaine. Accordingly 34 Powers of Europe and America not represented at the Conference were invited to sign the Convention with a view to their being thus on the same footing as the original participating Powers.

THE SECOND HAGUE CONVENTION.

On the 9th of July 1913 a final protocol was signed by the delegates to the Second International Conference. The ratification of the French Government was conditional on exclusion as regards French Indo-China on account of the contraband trade existing on its frontier "although almost all of its provisions were already being enforced," but that it was sincerely desirous of adopting, *pari passu* with the Chinese Government, further measures in order to eradicate the use of opium as soon as the conditions in the Southern Provinces of China improved,

THE THIRD HAGUE CONVENTION.

In June 1914 the Hague called a Third International Opium Conference, having as its object an inquiry into the possibilities of putting into effect the International Opium Convention of 1912. Austria-Hungary, Turkey, Serbia and Greece had not signed the Convention. The French Government announced "the adhesion of all French Colonies, except Indo-China and India which were in a special position on account of their geographical proximity to the opium producing countries of China and British India and the absence of any effective customs barrier against an active contraband. Such abstention, however, would not prevent their co-operation in the struggle against the use of opium."

RETARDED PROGRESS DUE TO THE GREAT WAR.

The British delegates on October 1st 1914 reported that the Conference had secured "an all-but unanimous expression of opinion on the part of the signatory Powers represented, in favour of the convention coming into force without awaiting the signature of two of the notified Powers," and presented "a unanimous request to the Dutch Government to press for early ratification of the remainder of the signatory Powers." In conclusion they remarked "We are under no illusion as to the influence which events which have occurred since the rising of the Conference must have upon all international concert of the nature contemplated by the Opium Convention. Humanitarian aims of the kind which invoked these three Conventions and inspired their constructive work must suffer eclipse or serious retardation during a time of warfare. We nevertheless re-

call that one of the first objects attained in 1815 at the Congress of Vienna after the close of the Napoleonic Wars,' and on the initiative of the British representative, was an International declaration of the abolition of the slave trade."

"We trust that when in the course of time international relations are resumed, the progressive stages in abolishing the abuse of opium and other kindred drugs may be resumed, and that the efforts of the three International Conferences may achieve the beneficent objects which from first to last inspired those who have borne their part in these deliberations."

Owing to the disorganization which followed the establishment of the Republic of China, there was a revival of cultivation in distant Provinces, soon after 1911. The Government of Yuan Shih-kai set itself, however, to eradicate the evil and much real progress was made. Sir A. Hosie, whose investigations took him through most of the opium-growing districts, has said: "no question has ever stirred the Chinese Empire so profoundly as that of opium suppression. It affects all classes, and public opinion backed by a young but growing patriotism, is gradually but surely branding opium-smoking as an evil that must be eradicated."

At the end of March 1917 the importation of Indian Opium ceased under the terms of the Agreement of 1907 and the extinction of opium-growing became a matter in which China was left to fight her own battle and to apply to her own officials those altruistic considerations which had secured prohibition of importation from foreign lands.

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注意
每畝
定植
四千
罌
大
洋
三十
元

Fukien Proclamation ordering the planting of 4,000 roots of poppy per mou, and demanding \$30.00 per mou* as tax

* A mou is one-sixth of an English acre.

CHAPTER III.

NARCOTICS IN CHINA TO-DAY: REACTIONARY POPPY CULTIVATION.

THE OPIUM REFORMATION.

The 31st of December, 1917, is a date to be held in perpetual remembrance in China, as on that day the legitimate foreign opium trade with China and the legitimate Chinese cultivation of opium ceased, in accordance with the Anglo-Chinese agreement of May, 1911. Both the British and Chinese Governments may be congratulated on the step then taken, but chiefly the Chinese Government, for this was the crowning act of a remarkable reformation. The Manchu Government started the reform; it was completed under the Republic, and by rigorous enforcement of the mandates that had forbidden the cultivation of poppy and any trade in opium, together with the sale of the smoker's pipe and other accessories, the country for a brief period was actually almost clear of the evil.

REACTION AND ITS CAUSES.

Since that date, however, there have been revivals of poppy cultivation in different parts of China. It is not very difficult to account for this reaction, although there has been more than one contributory cause, and it is important that these matters be clearly understood. At the end of 1917 there were necessarily many thousands of addicts left unreformed. It had been impossible to prevent secret storing of opium, or surreptitious supplies being sold to wealthy and confirmed smokers. There were traders, men deficient in patriotism as in morals, willing to accept all risks for the sake of the large profits to be made. The reaction was *not* caused by any pressing demands forced on the Chinese Government, either by addicts or by traders. Nor can it truthfully be said that this reformation was the culmination of a deeply laid plot on the part of the Chinese Government having as its object the ousting of Indian opium. Even less true would it be to suggest that renewed cultivation was planned by the Central Government to secure large profits to be made by taxation derived from the enforcement of poppy

cultivation on the farmers. The government had undergone a radical change from an absolute monarchy to a republic, and if the germ of such a policy had existed under the Manchus, it certainly has not propagated itself under the Republic. Since 1900 the old conservative spirit had suffered many heavy blows, and the most powerful and the wisest of the Chinese statesmen were convinced of the mischief wrought by the opium habit among all classes. Just as they were prepared to accept western methods of education, western inventions and modes of travel, and to tolerate missionary propaganda, which had for decades revolted them, so had they come to see that a China besotted with opium could not hold an equal footing among other nations. This indeed agreed with the Imperial edicts that had condemned the misuse of opium from the commencement of the traffic, but the widespread indulgence in the pipe had established customs by which opium smoking was not only tolerated but had become accepted as a social propriety. The Chinese statesmen now realised that opium must go. The main cause of the reaction is that cultivation of the poppy has been deliberately introduced by certain Military Governors, tuchuns, as they are called, aided by their officers, and their armed coolies, misnamed soldiers. The rupture between the Northern and Southern Provinces, and the growing independence of each military governor afforded the opportunity for this base policy; personal ambition and factional spirit created the incentive, unscrupulous soldiery with their captains, making up troops little better than armed bandits, provided the tools, and so poppy planting was encouraged, or enforced when the farmers were unwilling and resentful; traders and purchasers were ready to hand.

WEAKNESS OF GOVERNMENT CONTROL.

The Central Government at Peking, and the self appointed Government in the South at Canton are so weakened by internal and factional strife that any real control of the situation has passed out of their hands. Each Military Governor has become, practically, an independent chief; no legally elected parliament has assembled since 1916: President Hsu holds his position with as much legal right as is possible in the circumstances, but his position is sharply challenged by the Canton Government, whose recently elected President is Sun Yat Sen. Each Tuchun is loyal to the North or the South as his own interests are best served. The Tuchuns have required funds to pay their troops, to increase their power, and to enrich themselves. No easier or more effectual method could be found than by enforcing

poppy cultivation in the provinces under their control. The poppy has been planted and the opium habit revived, regardless of the mandates of the President and of the protests of foreign governments. The following details of the manner in which the cultivation of poppy has been in turn encouraged, controlled, or suppressed afford a striking illustration of the amazingly chaotic state of present day Chinese administration.

British Protest. Acting under instructions from the Foreign Office, the British Minister in Peking in March, 1919, sent a protest to the Chinese Foreign Office complaining that the cultivation of poppy in Fukien, Hunan, Szechuan, Yunnan, Kweichow, Sinkiang, and the three Eastern provinces, Kirin, Fengtien, and Heilungkiang, must be regarded as a failure on the part of China to observe treaty obligations and as a breach of faith. This protest has been repeated more than once during the last two years. The British Minister in a strongly worded despatch dated July, 1921 pointed out that Chinese military officers have not only encouraged the cultivation of poppy but have gone so far as to use their influence to "cover" opium smugglers entering Lower Yangtze Provinces where opium prohibition has been and is still effectively carried out by the provincial authorities, in accordance with the Treaty stipulations.*

Peking Mandates. The Peking Government has for its part issued numerous mandates and promulgated new laws strictly forbidding poppy planting and the sale and use of opium. In response to the latest protest mentioned above, it has appointed high and reliable officials as special delegates to all the provinces, including those not mentioned in the despatches of the British Minister, to make minute investigations into the existing opium conditions. In the provinces where the Peking Government has retained some measure of power and influence, its orders have been obeyed to some extent.

The Canton Government. The British Government has not recognized and, consequently, could not enter into diplomatic relations with the Canton Government, but this Government has also, to some extent, checked poppy cultivation.

President Hsu in Peking expressed to representatives of the International Anti-Opium Association his strong desire to rid China of this evil, and he is known to have been a supporter of the opium reformation when he held the position of Grand Councillor under the Manchu Government. The Canton Government, under Dr. Sun Yat Sen, has also announced that when its ends are attained the total suppression of opium will be one of the planks in

*North China Star, July 19, 1921.

its future policy. There is no reason to discredit the desire of both Governments to maintain the anti-opium policy but the truth is that this reactionary cultivation is an act of gross and illegal tyranny on the part of the provincial Military Governors, whose deeds since the death of Yuan Shih-kai have done much to bring the country to the brink of ruin. Fortunately the story is not entirely one sided, and much has been done in spite of these difficulties, to suppress the opium traffic in many places.

POPPY IN THE PROVINCES.

Reports have been received from various absolutely reliable sources as to the amount of poppy grown in China in the 1919-1920 seasons. (In some parts of China the poppy-growing season is in the winter, in others in the spring and summer. The reports cover the 1919-1920 winter crops and the spring or summer crops of 1920) A comparison of this information with the reports furnished by Sir A. Hosie to the British Government in 1908 and 1911, as well as with first-hand reports from missionaries, consular officers and others covering this same decade brings out one fact very plainly: while there has been an increase in the amount of poppy grown during the last year or two of governmental disorganization, the total quantity of native opium being produced today is far less than the production of ten years ago. Sir A. Hosie was unable to get accurate figures of the total production to include in his reports, because of the absence in China of any machinery for securing reliable statistics. In addition to this difficulty to-day is the fact that such poppy cultivation as exists, is in violation of the orders of the Central Administration and of the formal commands of most of the provincial authorities. While reliable figures are not available, a reasonable estimate would put the 1919-1920 crop at considerably less than ten per cent, of that of 1909-1910.

A summary of the reports for the 1919-1920 season indicates that the poppy, when grown at all, is grown only in insignificant quantities in the remote or inaccessible regions of the following provinces: Anhui, Chekiang, Chihli, Honan, Kansu, Kiangsu, Kuangsi, Kuantung, Shansi, Shantung, and certain districts of Manchuria and Mongolia. A comparison of the present condition with that at the time of the Hosie reports is of interest.

Anhui. In 1908, the attitude of the officials towards suppression of the growth of poppy as well as the consumption of and trade in opium was most apathetic. There had been some slight reductions of the production, but these were of no great significance.

萬國土會南分會第一周年大會上攝影



Chekiang. Here also, the officials were apathetic, and there seemed to be no reduction in the amount produced.

Chihli. Sir A. Hosie found in 1908 that the officials were carrying on a vigorous campaign of suppression of the cultivation and use of opium. The attempt to secure complete suppression was not entirely successful, however.

Honan. On the whole little poppy is produced in this province to-day. What there is, is being cultivated in the west of the province, Neisiang and the Lo River basin being the chief producing districts, but it is also grown as far east as Juchow and Kiahsien.

The Hosie report for 1908 indicated that honest efforts toward reduction of the area under cultivation were being made, but that total suppression was by no means accomplished. Opium is also imported and sold both openly and secretly, and high placed officials have been active in transporting and disposing of Shensi opium.

Kansuh. The province of Kansuh is nearly free from the cultivation of poppy. In 1908 Sir A. Hosie was informed that there had been somewhat less cultivation around the capital of the province, but more elsewhere. At Ch'inchow the gentry decided to plough up all the opium land, following a proclamation of a tax of 70 cents per *mu*, but the magistrate "to protect his revenue immediately issued a second proclamation ordering them not to do so, and directing them to diminish the area under cultivation a little, so as to accord with the imperial decree." By October, 1910, there had been a reduction amounting to under 25%, (Sir Alexander does not say with what year this comparison is made, but presumably it is with 1908, the time of his last report), "or about half the estimate communicated to me by the high authorities of the province". Missionaries in one district have declared that the Governor is against poppy cultivation, and it is only in the district of Tsinchow that it was grown to any extent. The International Anti-Opium Association endeavoured to open up a Branch Association in this district and the missionaries resident there did their best to assist the movement but were subjected to such intolerable persecution that they were obliged to desist. The responsibility for this rests with General K'ung Fan-Chin, a relative of the Governor and of a high official in Peking.

Kiangsu. The officials of this province were active in 1908 in the anti-opium campaign. Poppy had been extensively cultivated in the north of the province, but a proclamation had been issued entirely prohibiting cultivation in the following year.

Kuangsi. This province has a better record than some others and may be considered as free of poppy, though in October,

1919, the Miao-tsung valley in the north-western corner of the province was described as "a veritable poppy garden." The province has suffered from the overflow of opium from Kweichow, but the Kuangsi Tuchun, Tan Hao-ming, whose name deserves honorable mention, took drastic measures to prevent smuggling. On one occasion several soldiers escorting 700 piculs of opium to Poseh were attacked by the Governor's troops who managed to secure half the booty. The Kuangsi merchants used to transport such cargo as cotton yarn and piece goods to Yunnan and Kweichow, and in return raw opium was smuggled into the province. The port of Nanning was the centre of these transactions, but the severe examination at the Customs barriers seriously disturbed this trade with very grave results. The Chinese Maritime Customs Returns* throw an important light on this, and demonstrate that even where the provincial governor may be active in endeavouring to suppress opium there are still grave difficulties to be overcome. This Report says: "The dominant feature in the district's commercial life during the year was the attempt made to suppress the opium traffic, and the seizure by the authorities of 378,205 taels of opium in the neighbourhood of Poseh, was a very considerable achievement in view of the many embarrassments with which the provincial government was faced, and caused not only much perturbation locally but also sent echoing tremors very far afield. Its cumulative effect was akin to a form of creeping paralysis, which slowed down and stopped the movement of cargoes, and, by reducing the capital available for the conduct of business in general, seriously crippled a number of leading merchants and rendered some of them actually insolvent. The locally published "Ling Piao Jih Pao,"† estimated the losses in connection with the opium traffic at not less than \$2,000,000; and it has since become public property that cotton yarn dealers, who are in the habit of disposing of their stock on five months credit, were among the heaviest losers." It will doubtless be thought by some that here is a lesson anti-opium reformers should take to heart, as their well-intentioned, but unwise, efforts may strike confusion in important trade circles. Perhaps, however, the lesson that should be learnt is the just appreciation of the evil wrought by this illicit traffic, throwing its tendrils around the roots of legitimate and beneficial commercial business to its undoing and destruction. Here we note that even a powerful and well-intentioned governor meets with the most serious difficulties, and this enhances the credit of China in keeping so much of the country free from the contaminating influence of poppy cultivation.

* Nanning Trade Report, Oct.-Dec. 1920.

Chinese Daily Paper.

Kuangtung. In 1919 when the Northern and Southern forces were engaged in civil war in this province proposals for peace were made but were rejected by both sides because there were 200,000 *mu** under cultivation and each side coveted the gains to be made out of the harvest.

The manner in which officials have turned opium business to their profit is well illustrated by what has happened at Chao An Hsien in the Kwangtung province. In 1917 the official gave permits to sow poppy on payment of \$20 per *mu*. In the 11th month many farmers availed themselves of this opportunity and planted poppy, often making a profit of \$30 to \$40 on every *mu*. The next step was taken in October 1918 when all the officials published an edict compelling the planting of the poppy. The land including rice-fields was assessed for possible production of opium and a tax was imposed proportionate to the value of the opium demanded. This raised an indignant protest, but in order to obey the edict the plantations of sweet potato and sugar-cane were destroyed. The officials through their underlings sometimes took part in the work of destruction. About six weeks later there suddenly appeared an edict absolutely prohibiting cultivation of the poppy. It ordered heavy fines and the confiscation of land if any signs of the poppy were to be seen. Squads of soldiers were sent out and the fines were paid. Again in November of 1919 the Sub-Prefect of Chao An caused the Special Bureau of Agriculture to put forth an order constraining the farmers to plant poppy under the threat of heavy fines on those who should refuse. The farmers were cautious. Some planted while others abstained, and this time profits were made by sowing the poppy with beans in alternate rows. In 1920 cultivation of the poppy was again forbidden. The people were entirely at the mercy of their military tyrants, who have acted throughout entirely for their own exclusive personal profit.

Shansi. In 1908 this province was the scene of active anti-opium efforts on the part of officials. By 1911, Sir A. Hosie was able to report that "there is reason to believe that the poppy has ceased to be cultivated in that province for the last two years." To-day the situation with regard to all kinds of narcotics is more satisfactory in Shansi than in any other province.

Shantung. In 1908, active anti-opium measures were being carried out here. The Hosie report states that "taken as a whole there was a considerable diminution of land under poppy throughout the province, one of the reasons being that many places suffered from drought."

* One *mu* = .151 acre.

Manchuria and Mongolia. Little if any poppy is cultivated to-day. In 1908 in Manchuria there had been appreciable reductions as compared with preceding years, and there was good prospect that all cultivation would be brought to an end in the near future. No report is given for Mongolia in 1908.

Thus in these provinces—considerably more than half of China—the cultivation of poppy has practically ceased to-day, while in all of them it was being grown in larger or smaller quantities at the time of the beginning of the suppression of the opium traffic.

The condition in the rest of China is not so satisfactory. Poppy growing has been carried on on a comparatively extensive scale—extensive compared with the production in the provinces named above, but small compared with the conditions reported by Sir A. Hosie in 1908 and 1911—in the following provinces: Fuhkien, Hunan, Hupei, Kweichow, Shensi, Szechuan and Yunnan.

Fuhkien. This province has been divided between the Northern and Southern Generals, but only about one-third of the province has been freed from poppy cultivation, and the Generals of each of the rival governments must bear the blame. In the spring of 1919 in Fuhkien, in the neighbourhood of Changchow the officials everywhere encouraged the production of opium, demanding \$40 as punishment, and \$3 expenses. These fines were not enforced to hinder the cultivation of poppy, but were intended as licensing fees. That the official pockets might be filled the military captains and soldiery saw to it that poppy was planted. Amoy has always been a great centre for opium smuggling, and seizures of Amoy opium disclosed a device by which small portions of opium were enclosed in little flat copper boxes, stamped "Benares" with the double object of securing a better price for an inferior article, and in event of discovery throwing the onus of responsibility on the Indian Government. At Tong An the people were addressed by two officials who told them that in the South-west the Southern Government was compelling the sowing of poppy, while to the East and West, where the bandits held power, the people were cultivating opium. The unscrupulous in these districts were thus fast making money, but the people of Tong An were denied that privilege. The farmers were urged to fear nothing but to go ahead and produce opium. Since they would be protected they would in return no doubt, like to assist the Government financially and this they could do by paying \$10 for every peck of poppy seed planted. The farmers in this district were opposed to planting even though force were resorted to on the part of the officials, as they well knew that all the profits would go to the rulers.

In the Yung Chun district a proclamation was issued (by the Yung Cultivation Tax Office, dated 26th Dec. 8th year of the

Republic, (1919) and signed SU CHUNG-SAN) in which the people were commanded to sow poppy on suitable land, at a tax of \$5 per *mu*. Any person who neglected to cultivate poppy would be fined twice the amount of the tax. Together with this was another document giving advice to the farmers, stating what fields were suitable for the poppy, how to mark the land off in furrows, how to fertilise and irrigate the soil, with other useful instructions, the evident intent being to secure as good an harvest as possible. Rice fields were often perverted to this use, and the price of rice rose steadily. The methods adopted by a certain Colonel Wang appear to have been especially objectionable. This man with Northern troops would encamp in country districts, summon the village elders to appear before him, announce the amount of the tax, and if they did not agree he would have them put under guard until they consented to the amount imposed. This was in 1920 and the tax forcibly imposed was twice or three times as much as in 1919. Petitions and protests were sent to Peking in vain. Governor LI HOU-CHI always maintained that the province was free from opium, or if not entirely so, that this was owing to the bandits and Southern troops in certain districts. Not content with fleecing the Fuhkienese in this fashion, at the end of the year 1920 Li Hou-chi proceeded to add to his troops, and ten thousand recruits from Hsuehow arrived at Foochow. His scheme was to make a Third Army Division, utilizing the proceeds of the opium tax collected at Hueian, Yungting, Putien, and Sienyu to purchase arms which were provided by a certain foreign firm at Foochow. In the month of April, 1921, the International Anti-Opium Association, Peking, received the following information—"General Wu Wei* has sent a circular to the Foreign Legations and to the Anti-Opium Associations, stating that the Tuchun, Li Hou-chi, is imposing a tax in fourteen districts in Fuhkien for the cultivation of poppy, the amounts differing in each district from \$30,000 to \$180,000, the total amount being \$670,000. The General deprecates both the cultivation of poppy and the imposition of the tax." More than once the Fuhkien students residing in Peking, accompanied by the Association's secretary, went to the Home Office and represented the matter to the Vice-Minister. They were assured that enquiries should be made and a commission sent to examine into the conditions in Fuhkien, but the Governor, Li Hou Chi, does not alter his course, hypocritically stating that he deplores the cultivation of poppy and welcomes investigation.

*Commander of the 2nd Regiment of the 1st Division of the Temporary Army, Fuhkien.

Protests have also been made to the Wai Chiao Pu,* and photographs of poppy fields in full bloom were forwarded. The International Anti-Opium Association requested permission to send delegates to witness the destruction of the crops and their proposals were warmly supported by the British Legation. The Chinese Government, however, on the pretext that the Anglo-Chinese Agreement, with its provision for joint inspection, had expired, refused to accede to the Association's request and took no action to destroy the poppy fields until the crops had been successfully harvested and the taxes thereon collected by the local military officials.

Hunan. Under the Manchus Hunan was never given up to the cultivation of the poppy. During the years of the Republic, however, it has had for Governor one Chang Chin-yao, an official who has been described as "fearing neither God nor man." Fortunately he has now been driven from the province leaving behind him a reputation of the worst character. On the 14th December, 1920, a large consignment of about five tons of poppy seed was conveyed to the Wu-chang railway station by a man acting under the command of the Commander of the 2nd Division of the Hunan Army. The station master, Mr. Yin Yui, to his credit, would not allow this consignment to go forward except with the permission of Governor Wang of Hupeh. The report of this soon spread abroad, and the students of Hunan took up the matter and did their best to prevent the seed being imported into their province. It turned out that this consignment was for the Governor of Hunan, CHANG CHIN-YAO, who, although he denied having any connection with the matter, ultimately sent his soldiers and secured the seed. Governor Wang of Hupeh was thus placed in a very difficult position. He did not wish to incur blame for permitting this seed to go forward, and he did not dare to offend his powerful but unscrupulous neighbour, Chang Chin-yao. He hesitated and delayed, and perhaps this was the best thing he could do under the circumstances, for although Chang secured the seed, yet it was reported that he received the consignment too late for it to be planted with any hope of a good crop. In Western Hunan the poppy is reported to be growing in every district, one third of the fields being devoted to this in the neighbourhood of Chien chow and Chen chi.

Hupeh. Poppy is being grown on an extensive scale in the whole of the Shinnan prefecture in the south-west of the province, where opium is becoming more abundant even than last year with the result that a very large number of people have resumed smok-

*The Chinese Foreign Office.



Opium-burning in Peking Jan, 1921. at the Temple of Agriculture



Five Tons of Poppy Seed, Seized at
Wuchang, November 1920.

ing the drug. Some official encouragement seems to be given to the cultivation. Sir A. Hosie reported that in 1908 there had been little or no real progress toward suppression.

Kweichow. Every encouragement short of written authority has been given by the provincial authorities to the cultivation of poppy. A special bureau under the guise of a Military Accounts Department has been instituted to collect revenue from the opium produced. During May, 1920, the reaping of the opium crop in many districts was paralyzing all other work. The Provincial Government hoped by taxing opium to secure a revenue of two and a half million dollars, but actually received only \$1,700,000. Soldiers have conveyed thousands of catties* of opium to Yuanchow and Hungkiang. In 1908, according to the Hosie report, no steps were being taken to stop the production of opium. "Kweichow" said Sir Alexander at that time, "is probably the most opium-sodden province of the Empire, and eradication of the evil will take time." Although in 1921 Kweichow like Shensi is in great distress through famine the following telegram was received in December, 1921:

"Opium planted everywhere, therefore condition serious,"

This information came to the United International Famine Relief Committee in Peking in answer to inquiries as to the famine conditions in that province, and was forwarded to the International Anti-Opium Association for its information. Upon further inquiries at the United International Famine Relief Office it was ascertained that sum of \$10,000 had been allocated for relief in that province, but is now withdrawn, for the constitution of the Famine Relief Society permits assistance only where the condition is due to "an act of God." The distress in Kweichow is due to extensive cultivation of poppy which leaves insufficient land for the cultivation of cereals. This condition in a province far removed from ports spells calamity for the people.

Shensi. In 1919 this province was one of the worst offenders. Reports from Hanchung (upper Han valley in the south of the province) indicated extensive and open cultivation carried on under the encouragement of the local military authorities. In early May, 1920, in this southern district, one could walk for miles through flowering crops, nearly the whole of Hanchung being under poppy. The rest of the province was somewhat more free from this crop. This was the more disappointing, as the Governor LU CHIEN-CHANG, himself a confirmed opium sot, had been driven out by CHEN SHU-FAN. Governor Chen, however, for the sake of his revenue went beyond his predecessor in encouraging poppy

*A Cattie equals $1\frac{1}{2}$ lbs.

cultivation, but he has in turn been driven out by Yen Hsiang-Wen. Yen having committed suicide the Christian General Feng has taken charge of the province, and better things are hoped for.

In addition to the tyrannies of Chen Shu Fan, the inhabitants of Western Shensi had for some time to endure the oppression of LIU TSEN-HOU, another General whose ambition was to secure supremacy in Szechuan where he had formerly been Governor. In the district of Hanchowfu land was rented at a rate fixed by himself. The farmers were encouraged to sow poppy and were assured of General Liu's protection. The local prefect was opposed to Liu's policy and disapproved of poppy cultivation. He appointed three minor officials to attend to this, and they with a company of coolies set to work to destroy the opium crop. Liu sent his soldiers, disguised as farm labourers, and they came upon the Commissioners and coolies while they were resting for their midday meal and murdered them all. Liu kept his word and protected the farmers. During the great famine of 1920-21 in some places Liu had such wheat as might be growing ploughed up for the purpose of sowing poppy, and when Messrs. Hayes and Hall visited Shensi to make enquiries for famine relief they reported that Shensi was suffering as much from the strife of the military bands and from poppy cultivation as from the drought. All three causes contributed to the famine distress.

In 1908 the reports indicated that while the officials were much given to issuing anti-opium proclamations, little was actually being done to suppress the cultivation of poppy, though "the area under poppy cultivation is everywhere somewhat less." In 1911 Sir A. Hosie reported that "poppy cultivation is openly carried on in the province of Shensi, in many districts on a very extensive scale."

Szechuan. Before the movement for suppression, this was the chief opium-producing province in China, part of the crop being exported to other provinces. By 1908 the area under cultivation had been reduced by one-half, and by 1911, according to the Hosie Report, owing to the active measures taken by the Viceroy, poppy cultivation had been stopped. Sir Alexander in his 1911 report says: "I am satisfied that poppy cultivation has for the present been suppressed in Szechuan." The province remained practically clean of the poppy, except for a slight recrudescence at the time of the 1911 Revolution, until cultivation recommenced during 1918 and 1919 in the extreme west, near the borders of the tribal country and also in the east along the Yangtze above and below Chungking. The total area under cultivation, however, is almost in-

significant as compared with that before 1908. No reliable reports have been received with regard to the situation in the west, but as regards the east of the province there is conclusive evidence to show that considerable progress has been made toward suppression again. The civil authorities have been especially active in this work. The International Anti-Opium Association has possession of a photograph of three documents affording proof of official instigation and connivance. The first is of a proclamation issued by General Kuo Ch'ang-ming, holding the high rank of Commander-in-Chief of the Szechuan troops, giving instructions to the Opium Commissioners and Revenue collectors to inspect the country, and report the names of those cultivating opium. The tax was fixed at \$80 per 'tan', a local land measurement. The tax was to be paid after fifteen days' notice, and the village elder was to be held responsible for any unable within that time to pay the tax. There was to be no dishonesty, nor any collusion between the commissioners, collectors, and village elders to cheat the Government. The second document is that of an order put out by the magistrate of Hsi Ch'ang hsien (the town of Western Prosperity) enforcing the General's instructions, and the third document is that of a letter from the General to the Magistrate urging him not to be slack and they would share the profits. A copy of these photographs were forwarded to the Governor, Hsiung Ke Wu who replied that while such things had been done during the time of disorder they had ceased now that he controlled the province, and in future breaches of the law would be punished by death. A large amount of opium, nevertheless was produced in 1919 and 1920.

Yunnan. Like Szechuan, in the old days, Yunnan was a large producer of opium, the product of this province being considered of the best quality. By 1911 the cultivation had been practically suppressed throughout the province, except in the extreme west along the frontier. Here there had been an increase as compared even with the days before suppression was attempted. In 1920 the cultivation of poppy was general throughout the province, wherever the soil and climate were suitable. Because of the increased production, the price of opium had fallen from one dollar per ounce in February to thirty cents in May. The ex-Governor, T'ang Chi-yao, must be held responsible. He issued proclamations forbidding the people to cultivate poppy, and especially enjoining the Christians not to do so, but this was a piece of chicanery for he had himself his own office for the sale of opium in Yunnanfu. Now that T'ang Chi-yao has been driven out of Yunnan there may be a change for the better, but reliable reports have not yet been received. According to some accounts poppy planting still goes on.

CROPS OF 1909-10 AND 1919-20 COMPARED.

On its face, this comparison of the present conditions with those reported by Sir Alexander Hosie may seem to belie the statement made earlier in this chapter that "a reasonable estimate would put the 1919-1920 crop at considerably less than ten per cent. of that of 1909-1910." One must bear in mind, however, that Sir Alexander was comparing the conditions he found with those which obtained before any attempt was made at suppression, or at most when such suppression was only beginning. He naturally noticed, therefore, the amount of the reduction rather than the quantity still being grown—and this quite without any desire to present conditions in a favourable light. The reports for 1919-1920, on the other hand, come after more than ten years of rather surprisingly successful effort toward suppression. They come, too, after two years of political disorganization which has left the control of local affairs almost entirely to the local authorities and so has permitted the recrudescence of poppy cultivation. Moreover, most of the present reports are from men who have been in their fields through this whole period. In these reports, therefore, emphasis naturally is put on the increase of cultivation as compared with the period when suppression was wholly or virtually complete. Because of this difference in precedent conditions, what would have been described by Sir Alexander as a small crop would be called a large one by those reporting to-day. This point should be kept in mind. But nevertheless it should not blind one to the real seriousness of the present situation.

NORTHERN AND SOUTHERN RESPONSIBILITIES.

The Southern authorities are nominally responsible for the conditions in the southern part of Fuhkien, and in Hunan, Hupei, Kweichow, Szechuan and Yunnan. The Peking Government is responsible to the same extent for the northern part of Fuhkien and for Honan and Shensi. In general it may be assumed that the military authorities, who are in most cases a law unto themselves, and whom the Southern and Northern Governments cannot or dare not coerce, are to blame for the cultivation of poppy.

A PERSONAL NARRATIVE.

A vivid picture of what is taking place in China at the present time has been supplied to the International Anti-Opium Association, Peking, in the following interesting personal narrative.

In certain parts of China such as the independent Lolo States of Szechuan and certain remote districts of Yunnan Province

inhabited by aboriginal tribes, the Chinese Government has never held the native races in subjection. In such districts the case is comparable with that existing in some of the unadministered parts of Burma in which the growth of the poppy is admittedly widespread because its suppression would involve expensive administrative operations. Consequently the Chinese Government is able to do nothing more than proffer advice to the native chiefs.

Certain other districts in remote and mountainous parts of distant provinces have escaped enforcement of the rigorous edicts of the late Empress Dowager and of the Republican administration. There, though fully under Chinese control, the farmers have grown considerable areas of poppy without intermission. Such an area, in the extreme eastern corner of Shensi Province, was recently visited by one of the directors of the Association. The first part of his journey lay through the Yangtse gorges in the western corner of Hupeh Province. Poppy was said to be grown with the connivance of the military officials in the high mountain districts on the slopes away from Yangtze. Opium was procurable without difficulty and was commonly smoked in all the riverside villages. Its cost was about 400 coppers (150 coppers=1\$) per tael. Junks entering Hupeh from Szechuan were examined for opium at Kuan Tu Kou but much smuggling was undoubtedly in progress, especially by petty employees and the military who, because they are not subject to civil administration, are able to transport large quantities of the drug with impunity. The profit resulting from such operations is indicated by the fact that the current price of Szechuan opium in Hankow is \$4 per tael and in Peking \$5-6 per tael, this quality being considered second in grade to that of Kalgan. This being the case the successful smuggling of one consignment in two, renders illicit transfer a safe undertaking and accounts for the large seizures by the Maritime Customs which, it must be noted, is concerned with the examination of steamers and large craft only passing through the ports and even in these cases makes no examination of the persons and little of the luggage of passengers. Junks and similar native craft are examined by the native Customs, a separate organisation in no sense under foreign control. Effective control by this latter administration is impossible on account of inefficiency of the native police and native customs administration and the continuous menace of the hungry and rapacious military oppressor.

Passing through the mountainous eastern corner of Szechuan Province the same conditions were found to prevail. There had been no case of large-scale military oppression for some months and as the military operations of the two would-be Tschuns of Szechuan were being conducted in the Western part of the

Province the hopes of merchants were in the ascendant. The fields had been planted with wheat, mustard, beans and potatoes all along the main waterway into Shensi and a heavy fall of rain and snow gave promise of plentiful crops. The season was yet too early for the planting of poppy and there was the evident intention of sowing but little along this main artery of traffic for the fields were everywhere planted with other crops. Last season's opium was nevertheless easily procurable.

At Ta Ning Tchang, a centre of salt-production whose importance dates from the Ming dynasty, the local official was asked to supply one or two soldiers as escort, the roads having been reported to be somewhat unsafe. He supplied a yamen-runner armed with the magisterial card instead. This representative of local authority readily admitted that he had smoked opium continuously for the last sixteen years and bemoaned its rising cost. Sharing the unfortunate lot of his fellow subordinates throughout the country, he was in receipt of no official salary and the average of a dollar a day which he earned by his good offices to litigants and from those who fell within the clutches of the law, was, he complained, sadly depleted by the minimum of 80 coppers'-worth of opium which he considered a reasonable daily provision of the drug. Bemoaning the cost of the drug's rising on account of military taxation he stated that four years ago this amount would have been sufficient to provide him with one tael of opium. Fifteen years ago one tael cost 10 coppers only. The local magisterial officials were not opium smokers but took no steps to interfere with cultivation in the "hou shan" or "behind mountains." The local price of opium was considerably higher than at Kueifu 50 miles up river from Wushan where the poppy was a standard crop in the mountains and cost about \$1.50 per tael.

The journey from the next day onwards was by chair and on foot through mountainous country whose paths were too difficult for transport even by mule or donkey. The road traversed has however been for twenty centuries at least the main trade-route from eastern Szechuan into Shensi and leads over the Chi Hsin Ling (Chicken Heart Pass) nearly six thousand feet above sea level to a point constituting the junction of the boundaries of the three Provinces of Hupeh, Szechuan and Shensi. At the foot of the mountain on the Shensi side stands the village of Lao Shu Chuan with its octroi-station plastered with a number of official notices alongside of the customary announcement that all merchandise is to be examined.

Among these notices three were of special interest to the Association. The first issued on the 23rd. of the 9th. month of 1919 by the local magistrate announces that within four dates

totalling a period of ten months from issue of the proclamation the export of opium from Shensi must cease. A scale of penalties is laid down for illicit export descending from a fine of 5 taels of silver for each tael of opium if smuggled in lots of over 100 taels; to one tael of silver per tael of opium if in lots of under 10 taels. The culprit is in addition to be sent to headquarters for a statutory punishment. The second was an older proclamation inveighing against cultivation and transport of the drug. The third, written on red paper bore no official seal but in characters about one third the size of those in either of the other two proclamations announced tersely "Opium for sale here." Though not more than half a dozen foreigners had been through the village in as many years and though in almost any other district in China the advent of a foreigner and his copying of an official proclamation would have been hailed by the villagers with the enthusiasm that would in foreign countries be devoted to a free movie-show, these Shensi people paid not the least attention to the foreign devil and his ways and left him to pursue his lonely self-appointed task. This indifference due in part to fear and in part to the cowed and miserable condition of the population largely attributable without doubt to widespread growth and consumption of opium, was found to be characteristic of the roadside population throughout the eighty miles traversed in this remote district. Colonel Manifold had visited a corner of this prefecture some years previously and the local officials had been advised of the coming of the British opium delegate three or four years ago but the growing of opium has never been stamped out and the country people, dull, miserably poor, uneducated, often goitrous or otherwise diseased, constitute what is probably the lowest type of pure Chinese in existence. The healthy climate of the mountains which average over 4,000 feet in altitude should favour the development of a strong and independent race. Here, however, disease appeared to be rampant, and healthy well-built individuals are the exception. This is in striking contrast to the Szechuanese coolies who find the carrying of salt, piece-goods and other commodities through this district a profitable enterprise. Conditions however are said to be better than ten years back when throughout the Province it was customary for the traveller, at any time in the day in exchange for a few cash, to be provided through a hole in the wall in any local hostel with a few puffs of opium from the common pipe.

This district of Chen-p'ing was temporarily completely under military sway. The civil official, finding his position untenable, had fled on Chinese New Year's day (February 8th), 1921. Notices by the high provincial authorities inveighing against the cultivation and smoking of opium were posted in many villages,

especially along the main road. Along the less frequented roads there was found a notice issued by the local military official in 1919 informing the farmers that the tax-collectors sent to collect the opium tax might perhaps endeavour to exact fees on account of personal or incidental expenses additional to the fixed tax of 6.60 taels per mou. No sum additional to this need however be paid. The best fields produced 10 taels of opium per mou. The average was said to be about 6 taels per mou.

Various estimates of the proportion of area under poppy cultivation were given. It was not found possible to arrive at an estimate from personal observation as in only very few places had the sowing of poppy-seed begun. The cultivation in rows about two feet apart and with about four inches of space between the holes into which two or three seeds are inserted together with a handful of fertiliser, does not differ from that in other parts of China. Thirty per cent was a general estimate of the proportion of the cultivated area which would come under poppy in a normal year but this figure, in view of the large area under wheat, potatoes, mustard and rice appears to be a high estimate. The military delegates it appears take good care to make sure that all land under poppy shall pay the tax, and the balance left to the farmer gives him a profit not much greater than in the case of cereal crops, the local price of the drug being \$2.50 per tael.

One of the chiefs among the local gentry was of opinion that all the people in the district were addicted to opium. He was also of opinion that smoking was on the decrease on account of the increased cost of the drug. Others considered that only 60-70% were smokers. A chair-coolie, asked if he smoked opium replied. "I don't smoke."

"Why do you not smoke?"

"Look at my trousers. They are old and have a great rent in them. If I cannot afford to buy myself a new pair how can I afford to smoke opium?"

Another, an obvious smoker asked if he were smoking opium replied "I smoke opium. If I did not smoke my legs would not be my own. When I have smoked opium my legs obey their orders."

The subject of the possession of the means of securing a smoke of opium at the end of the day's labour was a continual source of interest to the chair-coolies and carriers. One of them possessing a little could find no pipe at the end of his day's work and so, imitating the method of absorption common among the native in India, ate it. It was stated that all carriers, when they can find no pipe swallow the opium in pills about the size of a pea and worth ten coppers. Some prefer drinking an emulsion of

raw opium in water to eating the drug. The Chinese habit of taking opium in the form of smoke through the lungs and not in the form of pills is said to be due to:—

1. Old custom.
2. The belief that the drug acts more quickly through the lungs than otherwise.
3. The more sociable nature of smoking than eating or drinking.
4. The belief that opium is more curative for stomach troubles when smoked than when taken otherwise.

The effect of the drug in undermining the strength of these carrier coolies accustomed to carry loads of almost incredible weight over long distances is considered among them to be sure, but in the quantities obtainable by them, slow. One of the party was a Chinese weighing 180 lbs. His three chair-carriers all addicted to the drug were strong and vigorous and the aggregate of their ages amounted to 180 years.

Opium, while impoverishing the country appeared also to destroy the spirit of hospitality to strangers which is a strong Chinese characteristic. The villagers usually possessed no reserve of grain and when they had a store of eggs or other eatables desirable to the traveller, were unwilling to sell them at any price and tendered the customary cup of tea or hot water without heartiness and even with reluctance.

Though the smoking of opium was admittedly universal in this district there was observed a tendency to keep the act of smoking secret. This was probably due rather to suspicion of strangers than to fear of any immediate official repression. In one of the mountain villages a night was spent in the house of one of the local gentry. His married daughter was on a visit to her parents, and during the course of the evening was assisted by her father in practising to smoke opium. It was explained that though she might be averse to the dose, respectability and the custom of the district necessitated her acquiring a knowledge of the art lest it should be whispered that being too poor she was not sufficiently well-to-do to afford the luxury of an occasional pipe.

Such a state of affairs in this small and remote district of China is undoubtedly very exceptional. Want of education and absence of public opinion have enabled vice to become fashionable as was the case in the heavy drinking days of Georgian England. Amelioration of conditions can be secured only by removal of the curse of militarism which encourages growth of the poppy, by improvement of education, and by the growth of transport facilities. The posting of pious edicts has no effect upon a people too unlettered to read. When it has become possible to build up a

healthy public opinion much may be done to improve conditions. Until that time the only means of improving the miserable lot of the people is to secure stern enforcement of the law against the root of the whole evil, the cultivation of the poppy.

Some notice must be taken here of the problem of consumption, for were there no consumers, or if the number of opium smokers were an altogether significant minority, the cultivation of poppy would never take place. The lethargic character of many of the Chinese, the dullness of their lives and the relief opium affords in disease in a country where, except for foreign teaching, little is understood of scientific medical treatment all tend to indulgence in the solace that opium affords, so that until the conditions of Chinese life are greatly improved there will continue to be a considerable number of the people prone to become addicts. There are, however, apart from this general consideration, other causes for the recrudescence of opium smoking and drug consumption.

The increased production would of itself lead to increased consumption, and during the years in which it was known that the suppression of the cultivation of opium in China was causing foreign imports to cease there was a strong stimulus to enforce suppression, but when in 1917 the importation of foreign opium was barred this stimulus was removed, and the cultivation of poppy became an easier matter. In all reforms of this kind there is needed the support of an enlightened and conscientious public opinion and while undoubtedly the better instructed and more patriotic of the Chinese are well aware of the mischief resulting from habitual indulgence in narcotics, in a country where more than ninety per cent are illiterates, and weakly governed, except where the military governors impose tyranny, it is impossible to create the strong public opinion needful. The underlying conditions that would favour the opium reformation are wanting, and what should be accomplished by the good will of the people has only in a limited measure been effected by the Imperial and Republican Governments when able to exercise sufficient force to compel compliance. The weakness of the Peking Government, and equally, or more so of the Canton Government in South China has deprived those in the highest places of the power to suppress the traffic in and use of opium. Further the instruments by which the Governments could have enforced the policy of reformation, the soldiery and the police, were alike inefficient. The soldiers are venal and obedient simply to their own particular commanders, caring less than nothing for any central government. The police force is not only weak and inadequate, but its officers dare not oppose the military generals, nor any powerful politician.

THE SMUGGLING OF MORPHIA, COCAINE, AND OTHER DRUGS.

The traffic in narcotics in China is by no means confined to the sale of opium; when this could no longer be carried on legally those profiting by the traffic turned their attention to the importation of morphia, cocaine, heroin, and other narcotics. These being less bulky than opium could be more easily smuggled into the country: In the short space of two to three years the trade has swollen to enormous dimensions, and has spread over a great part of China. The habit has developed in two forms, by direct hypodermic injection, and by the consumption of pills containing these drugs. These are sold either as cures for the opium habit or as panaceas for every form of disease. Wealthier users of the drugs secure their own hypodermic needles and supplies of the narcotics. Poorer victims are supplied by travelling agents or by special shops, where the coolie passes two or three coppers through a hole in the wall, follows them with his arm, receives the injection, and departs—all without being seen by or seeing, the one who administers the drug. Drugged pills and similar products are sold by itinerant vendors and regular drug stores. No indication is given that these products contain narcotics.

EXTENT OF TRADE.

First hand information shows that opium derivatives and cocaine are both sold secretly and openly in important quantities in Chihli, Kiangsu, Honan, Anhui, Chekiang, Kwangtung and Kiangsi. There is a small secret trade in these narcotics in Kiangsi, Hupeh, Honan, and in Shantung outside of the territory controlled by the Japanese. In this latter territory there are indications of a thriving, though secret, trade. These narcotics are practically unknown in Shensi, Fuhkien, Szechuan, Yunnan, and Kweichow.* The officials in Manchuria and Mongolia vigorously suppress the trade in these drugs, but nevertheless there seems to be a steadily growing business in them, chiefly under Japanese auspices.

OPIUM DERIVATIVES AND POPPY CULTIVATION.

In comparing the reports as to the trade in morphia, cocaine, etc., with those covering the cultivation of opium, one fact becomes strikingly prominent: *the trade in opium derivatives is in inverse ratio to the cultivation of poppy*. That is to say: where the people secure narcotics from outside sources; but where the restrictions prevent local cultivation the people are supplied

*See Map: Narcotics in China.

with opium derivatives through illicit channels. The fact that the poppy is not grown in certain districts does not mean, therefore, that the people in these regions are not being poisoned by narcotics; it simply means that larger quantities of the more deadly opium derivatives are being consumed.

MORPHIA NOT MANUFACTURED IN CHINA.

It is pertinent to remember in this connection that no morphia is manufactured by the Chinese in China; all that comes in is smuggled into the country. The Customs officials and the Consular Courts are making every effort to prevent the smuggling. The quantities seized, however, indicate rather the vastness of the traffic than any success in its suppression. It is certain that an extended and vigorous trade has developed in morphia, cocaine, and related narcotics. This traffic would seem to be carried on chiefly by the Japanese, in the forms indicated above.

THE SOURCES OF THE MORPHIA.

The major portion of the morphia reaching China since 1918 has been manufactured in Gt. Britain and the United States, but recently morphia manufactured on the continent of Europe and in Japan has also been imported into China. Morphia from Gt. Britain, by a special convention may pass through the United States in bond. These shipments are entered in the British records as being to the United States: but they do not appear in the American records and they are not in any way subject to American control by reason of the provision referred to. The facility with which it has been possible to purchase the drug in Gt. Britain and to trans-ship it through the United States has contributed largely to the increase in the traffic. It must be noted, however, that there is the Jones-Miller Bill and other Bills before the United States House of Representatives in which this privilege of trans-shipment, so far as these drugs are concerned, is to be withdrawn.

AMERICAN AND JAPANESE LAWS CONTROLLING EXPORTS.

The American law on the question, like the British, has permitted the shipment of these drugs in unlimited quantities to Japan, because the latter country has regulations covering their import. The only limitation placed on such shipments was that the Japanese regulations must be obeyed. These Japanese regulations provided that no one might import opium itself, but permitted the free importation of the derivatives of opium and cocaine, as medical materials. Those who were active in demand-

ing reform, such as the China Club, of Seattle, Washington, the International Anti-Opium Association, Peking, Dr. Wilbur Crafts, and others, were not slow in drawing attention to what may be called an open back-door, by which morphia could enter and flood China, and not without effect. Under date April 26th, 1920, new regulations were issued by the American Government at Washington under Section 6 of the Act of 1914 by which exports to countries not regulating the entry of such articles were prohibited, and, by a previous ruling of the United States Attorney General, the published laws of Japan did not afford sufficient evidence that the importation of narcotics was so regulated that such might be exported to Japan. The direct importation of morphia to Japan ceased from April, 1920, but the International Anti-Opium Association of Peking pointed out in an article in the Peking and Tientsin Times, Anti-Opium Supplement of September 26, 1920, that it might still be possible for morphia from the United States to reach Japan, and ultimately China, by indirect methods, that is, through other countries, or by smuggling. Japan also took action, and on December 6th, 1920, the Department of the Interior issued Regulations for the control of Morphia, Cocaine and other Alkaloids therefrom forbidding the exportation or importation of these drugs without license.

EXTENT OF THE TRADE.

The proportions assumed by this trade can be seen by reference to the following figures of importation of morphia into Japan which are quoted by the Japan Weekly Chronicle from the official Customs returns. In the period from 1898 to 1907 inclusive, the amounts imported came to 197,659 ounces, a yearly average of 19,766 ounces. This is the decade immediately preceding the beginning of the suppression of the opium trade and the cultivation of poppy in China. Ten years later, in 1917, no less than 600,228 ounces were imported by Japan. The total for the period of six years from 1915 to 1920 reaches 2,871,779 ozs., an annual average of 478,629 ozs, an increase of 2,406% over the average for the decade 1898-1907.

In addition to these amounts officially reported in the Japanese Customs returns there are quantities of morphia passing through Japanese ports, from the United States and elsewhere without appearing in the official records because the material is trans-shipped in the harbours, chiefly Kobe. No accurate record of the quantity of morphia reaching China in this way is possible, but good evidence shows that it is large, amounting to several tens of thousands of ounces annually.

The Japan Weekly Chronicle of January 27, 1921, gives the following figures of Japanese imports during the past few years :

1915	.....	358,453	Ounces
1916	.....	558,812	„
1917	.....	600,229	„
1918	.....	165,085	„
1919	.....	409,109	„
1920 (approximately)	.....	880,000	„

SMALL DEDUCTION BY AMOUNTS USED IN JAPAN.

The use of opium derivatives and cocaine in Japan is very strictly confined by law to purely medical purposes. A small increase in the quantity imported might be explained by the increase of the population of Japan. But the actual increase in morphia imports has been over 2,400%. Nor can Japan possibly use legitimately anything like the quantities of morphia which she imports. On a very liberal estimate the legitimate consumption of morphia in Japan in 1920 could not have exceeded 7,500 ozs. for the population of sixty millions. Yet during that year it is estimated that 880,000 ozs. were imported—an excess over legitimate consumption of 872,500 ozs. The indications are plain that practically all of this excess found its way into China through secret channels. Over and above the amounts entered in official records there are those trans-shipped in Japanese harbour and unrecorded, not to mention the amounts which find their way in from still other sources.

THE GRAVE DANGER TO CHINA.

A traffic of such dimensions in these drugs is obviously a grave danger to the welfare of the Chinese. Just how grave a few figures will show. A certain amount of morphia is needed in China to meet legitimate medical requirements. But this is proportionately much less than in countries where the science of medicine is more highly developed, since morphia can be legitimately used only in connection with the most scientific practice, of which there is relatively very little in China. Moreover, practically all of the morphia actually used by the trained physicians is imported direct.

It is also true that appreciable quantities are seized by the Customs officers and others. The figures of the Customs seizures, as given by the Inspectorate General of Customs, are as follows :

Year	Quantities seized			
	Opium	Morphia	Cocaine	
1917*	20,468 lbs.	219 lbs. (3,504 ozs.)	32 lbs. (512 ozs.)	
1918	26,676 „	147 „ (2,362 „)	15 „ (240 „)	
1919	48,375 „	213 „ (3,408 „)	164 „ (2,624 „)	
1920	96,627 „	742 „ (11,872 „)	264 „ (4,224 „)	

* April to December

These figures do not include seizures made by Chinese officials outside the Customs service, nor those by various other authorities, but there is good reason to believe that the total amounts seized, together with those legitimately used, are considerably less than the amounts reaching China from sources other than those appearing in the Japanese Customs.

It may be safely estimated that in 1920 not less than 872,500 ozs. of morphia, not to mention cocaine, heroin, etc., found their way into China through illicit channels, this being the excess of the importation into Japan over Japan's legitimate requirements. In the past six years from the same sources and by the same means 2,826,779 ozs. have been poured into China. This means that in one year, 1920, enough morphia entered China over and above the amount required for legitimate purposes, or seized by the authorities, to provide at least 1,675,200,000 injections, or, estimating the population of China at 400,000,000, enough to give every man, woman, and child in the country four doses. The situation is made more serious by the fact that morphia is practically unknown in many provinces and is sold only in small quantities in others, so that the amounts mentioned above were absorbed by approximately half the population, which gives an average per capita of eight doses in 1920, and of four each since 1914.

THE TRADE IN NARCOTICS INCREASING.

The most tragic feature of this drug traffic is that conditions grow worse rather than better. Moreover these figures cover only one source of supply and that of only one drug, and do not include cocaine or other derivatives from opium, such as heroin, of which the large seizures made indicate that considerable amounts are smuggled into China. It is impossible accurately to estimate the total amount of these drugs actually sold, but those who make the seizures acknowledge that they capture only a small percentage of the quantities imported, and all the evidence goes to show that the trade in narcotics increases steadily, year by year, in spite of all efforts at suppression.

TRADING ON IGNORANCE.

Part of the recent increase can be attributed to the disturbed condition of the country. Part is due to the fact that the common people of China do not know the dangerous effects of such opium derivatives as morphia or heroin, nor of cocaine; and, further, pills and other pharmaceutical preparations bear no indication on the wrappers that they contain any of these harmful ingredients, but on the contrary are advertised as extremely beneficial. It

was only recently discovered that the "Chin Tan" or "Gold pill," sold widely through many provinces contains morphia in relatively large quantities. Many other preparations similarly harmful have been found by the Customs officials, and lists of these are published and distributed from time to time.

THE ROOT OF THE EVIL AND THE REMEDY.

The disorders in China and the ignorance of the Chinese masses are only secondary causes of the increase in the sale of narcotics. The principal reason for the growing traffic in morphia, cocaine, and the like, is, that those who profit by the poisoning of China find it easier to deal in these drugs than in opium, and hence, although the native production and the importation of opium has been reduced materially the danger to China from narcotics has not been removed. The new legislation in Japan, the prospect of it in America and Gt. Britain, and the appointment of an Opium Commission by the League of Nations alone give some hope of ultimate improvement.

SMUGGLING: ITS EXTENT AND CHARACTER.

A large volume might be written on the smuggling of narcotic drugs which goes on in China and other countries, not alone those in the Far East, and it would undoubtedly be full of interesting tales of daring adventures, of hair breadth escapes, and of huge profits, but while some sympathy may be felt for those who in the past trafficked illicitly in useful goods, nothing but indignation can be felt for the capitalists who are unscrupulous in the tools they use, while keeping themselves concealed, in carrying on this dirty trade—a traffic that enriches the few conscienceless, at the cost of poisoning and morally degrading the masses. Here, however it is only possible to say something of the extent of the illicit trade and the methods used.

THE EXTENT OF SMUGGLING.

Naturally there are no statistics available of the amounts of opium, morphia, heroin, cocaine, and other drugs smuggled into China, or from one province of China to another. The extent to which this illicit trade is pushed can be estimated only from the seizures made, and the amounts imported by any country in excess of the amounts legitimately used. The Statistical Tables given above will convey some idea of the enormous amounts dealt with by smugglers. It is reasonably estimated that hundreds of thousands of ounces of morphia in one year enter China.

It will be gathered from an examination of these tables that the amounts seized in a few years run into thousands of pounds of opium, and equally large figures of morphia in ounces, while large seizures are also made of heroin and cocaine. Much of these amounts has been manufactured in the three countries primarily concerned, Gt. Britain, America, and Japan, and sales are not made directly by the highly respectable manufacturing firms of these countries, but are manipulated by the international gang of illicit traders. The amounts seized in China represent a total loss to the Government of the country. Not only are the drugs destroyed by fire, together with accessories such as hypodermic needles, but by the regulations of the Customs service large rewards are paid to those who have succeeded in apprehending the stuff, and these have recently been so large, (a percentage of the value of the goods seized forming the rewards) that the sums received by officials of lower rank, such as tide waiters, have been more than the salaries of the higher officials. This has been the case where large amounts of opium grown in the South Western provinces have been seized along the Yang Tze river.

The returns made by the Customs service do not indicate how much of the opium seized has been of native growth, or of Indian production, but these large seizures within the last three years have corresponded with the re-actionary cultivation of poppy, and must certainly be for the most part of Chinese opium.

It is entirely different with regard to morphia, heroin, and cocaine. These drugs are of foreign manufacture, and during the years of the world war came entirely from Gt. Britain, America, and Japan, but since then imports have been received of narcotics manufactured in Germany, Switzerland and France. The photographs of labels removed from packages seized by the Customs prove this. If such a traffic is discreditable to the countries engaged in manufacturing dangerous drugs far in excess of any beneficial uses, the destruction by fire at a considerable pecuniary loss is creditable to the country carrying out that measure. It is not asserted that all the amounts seized are destroyed, indeed it is well-known that in China some military and other officials have added to their incomes by disposing of the confiscated narcotics in other ways more profitable to themselves than by fire, but the statistics prove without any possibility of contradiction that the amounts destroyed in China reach in value millions of dollars. -

METHODS OF SMUGGLING.

For ingenuity and resourcefulness the methods resorted to by smugglers display a mental activity worthy of a better cause, but there is little of the heroic about this illicit

trade. The directors of the smuggling enterprises keep themselves well concealed, and put all the personal risks on their subordinates, sometimes denizens of the under world who will risk a few months imprisonment for the chance of winning substantial payments; sometimes they are mere children, as in a case tried at Hongkong where a boy and a girl were each fined \$10,000, the principals remaining undetected. Sometimes they are servants, boatmen and railway employees receiving only small salaries. Often the methods are so elaborate as to require a great deal of preparation, with a considerable expenditure. Sir Francis Aglen, Inspector General of the Chinese Maritime Customs says, "Opium and other harmful drugs are found hidden in coal cubicles, in coal cars, in the steel piping of railway cars, in the double roofs of carriages, the linoleum covering removed and holes cut in the wood lining, behind panels in express trains, in the ventilators, among the car springs in the brakes, in watertight bags in the water tanks, in the window frames, —a semi-foreign organization carries the contraband in railway luggage, over which the Customs has only limited supervision, lands it at Soochow, and ships it in sampans and houseboats down numerous canals to the Shanghai market, —morphia arrives from abroad in various chemical combinations, in sugar of milk, in saccharine, in soda, the parcel post being constantly made use of—a book arrives named "The Inculcation of Moral practices" its heart filled with the drug—a steamer on the Upper Yangtze is discovered to have its "samson posts" packed with bags of opium. During the period of restricted importation of opium prior to absolute prohibition,—a steamer arrives from London with a large compartment constructed in one of its coal bunkers containing about 3,000 pounds of opium, the only immediate access to it being through a manplate in the stokehold plastered over with cement, through the bilges and up through the bottom of the bunker—a shipment of 2700 cases of "water softener" is discovered at Shanghai to have concealed in it nearly 4 tons of opium which if it had not been discovered would have realized a profit of over \$1,000,000 on an initial outlay of about \$150,000. An innocent-looking Japanese rug is discovered to have the warp made of paper cylinders filled with opium—a sedate Chinese gentleman carries a bird cage with a live bird gaily singing over a false bottom filled with the drug—a motor launch on the West River has a false bottom in the oil tank—soldiers on the Tonkin border carry opium in false haversacks—peddlars along the numerous by-paths carry opium mixed with soot and blacking in their hats, in match boxes with a layer of matches on the top, in hollow rolls of silk and cloth, in picture rolls,—it is found packed in the shape of rolls of money, in Chinese oil lamps



In November 1921, the Maritime Customs in Tientsin seized over smuggled from Japan aboard a ship. The photograph shows how the the cylinders containing the morphine being embedded in the centre of soda.

with double bottoms and sides, in the soles of Chinese boots, in hollowed oranges, pumeloos, eggs, soap bars, as kernels in ground nuts, in dummy candles. Five tons of poppy seed are found at Wuchang having been shipped by rail from Mukden in military stores over which the Customs has but little control and consigned to a military General—an old Chinese woman boards a steamer at Canton with a basket containing a cat with five newly born kittens; the mother is very solicitous of their welfare even though they are dead and stuffed with opium—Sir Robert Hart, the former Inspector General, was the unsuspecting victim of an opium smuggler who concealed opium in his luggage: and my presence on board a Customs cruiser on its way from the South is regarded as a fitting opportunity to bring opium to Shanghai without risk of search and discovery.”*

On November 12 1921, the Chinese Maritime Customs at Tientsin, seized three hundred pounds of morphia and heroin concealed in blocks of sulphate of soda. According to the information received from the Commissioner of Customs at Tientsin, the vessel which carried this contraband was the Japanese S. S. “Awaji Maru,” the cargo having been loaded at Osaka. From the labels it appeared that the Heroin (4,075 ounces) was manufactured by the Japan Pharmaceutical Establishment, Osaka, and by the Kyokuta Drug Works, Ltd., also located at Osaka; and that the morphia (480 ounces) was manufactured by Messrs. J. A. Wink and Co. of London. These facts have been brought to the notice of the British and Japanese Ministers at Peking.

The statement made above by the highest Customs authority in China gives a vivid picture of the means by which this traffic is carried on, and this is supported by information received from the French Superintendent Engineer, M. Jacquet, on the Cheng-Tai line running up into Shansi. Here not only are ingenious methods of smuggling adopted, but bribes are freely used. A stoker, or engine driver, receiving a monthly salary of \$40, is handed \$200 for conveying a small parcel of morphia. The Governor gives a reward of \$3 for every small packet of morphia seized, but the traders give \$6 for every small packet got through without detection. Inspectors on the different railway lines are bribed by being allowed to make a seizure of drugs worth a considerable sum, bringing them credit and a handsome reward, on one day of the week, if they consent to make superficial examinations and confiscate nothing on the other days of the week. Thus by concealment and by bribery the stuff gets through.

* Peking and Tientsin Times: Anti-Opium Supplement. Apl. 5, 1920.

It must be evident that so long as the supplies of opium, morphia, and other narcotics are manufactured far in excess of actual requirements this illicit trade will continue to flourish and prey upon the lives of its unhappy victims.

CHAPTER IV.

MEDICAL ASPECTS OF OPIUM AND MORPHIA INDULGENCE.

OPIUM, WHERE PRODUCED.

Opium is well-known to be the dried juice of the unripe capsules of *Papaver Somniferum*, the white Common Poppy. This plant is grown chiefly in India, Egypt, China, Persia and Asia Minor, but has been cultivated in colder climates and in these is said to produce a more powerful form of the drug.

EARLY INTRODUCTION INTO CHINA.

The name is derived from the Greek $\acute{o}\pi\acute{o}\varsigma$ =juice. Long before England opened any trade with China the drug was imported overland from India via Burmah and Yunnan. The first known mention of it was in A.D. 973 when the reigning Emperor ordered the preparation of a new Herbarium, and the poppy was inserted as a cure for dysentery.

INDIAN AND CHINESE OPIUM.

The two main Indian varieties are those of Bengal and Malwa. The Indian drug has always been superior to the Chinese partly because it is the pure compressed juice, while the latter is often mixed with linseed oil and other adulterants.

OPIUM ALKALOIDS.

Opium owes its activity to a large number of alkaloids of which Morphine, Codeine, and Narcotine are the most important. The total amount of alkaloids varies from 5 to 25 per cent and different specimens may contain very different proportions of such alkaloids; for instance the morphine content may vary from 2.7 to 22.8 per cent, the average being ten per cent.

PHYSIOLOGICAL ACTION OF OPIUM DUE TO MORPHIA.

The action of opium is due to the large amount of morphine contained in it. This acts chiefly on the central nervous system by first stimulating and afterwards depressing it. It excites the

spinal cord and quiets the brain. Its dominant action upon man is to produce nervous sedation in small doses, and sleep when given in larger amounts. Sometimes however, in persons who are accustomed to its use, it produces a state of restless insomnia or quiet wakeful apathy. When opium is taken in over-dose it causes a sleepy drowsiness, full pulse, a warm dry skin and pleasant dreams, though, curiously, in the Anglo-Saxon races the dreams are often disagreeable. Preceding this period there is a brief interval during which the individual feels self-satisfied and contented. Nothing matters; he simply feels quietly happy. The brain is congested, the face is suffused and often reddened. Sleep ensues and from this he awakes with a feeling of lassitude.

DEATH BY OVERDOSE.

In cases of overdose, (such as those leading to suicide) the respiration becomes steadily slower, then shallower, and muscular relaxation is marked all over the body. The skin, previously dry, is wet with the sweat of death; the victim is so deeply narcotized that nothing can rouse him and he dies from respiratory failure, although the heart may cease almost simultaneously from asphyxia.

PHYSIOLOGICAL EFFECTS OF OPIUM SMOKING.

The effects of opium smoking (or absorption of opium in any other form in which it may be habitually taken) are seen in languid mental torpor, general debility, emaciation, loss of appetite and general failing of all the mental faculties as shown by inattention, lack of concentration and forgetfulness. As the effects of the narcotic wear off the smoker becomes more normal but when the craving wave of narcotic hunger reappears it can only be satisfied by another indulgence with the same effects.

OPIUM PREPARED FOR SMOKING: INHALATION.

Opium is prepared for smoking by being boiled and evaporated a number of times untill its consistency becomes that of thick treacle in which form it is purchased by consumers. The smoker lies on a couch with the level of his pipe placed so that it can be brought close up to the flame of a lamp. With a small spoon-headed instrument he takes up a piece the size of a small pea which is placed in the pipe and then lighted at the lamp.

The smoke is inhaled and retained as long as possible so that it fills the whole of the lungs. A novice would find himself giddy and nauseated after one or two whiffs. An ordinary ha-

bitué smokes on an average about one mace i.e. about $\frac{3}{4}$ of the weight of a twenty cent piece. The resultant sleep is unrefreshing and lasts usually from half an hour to two hours. Let it be noted that the great difference between alcohol and opium is that the latter does not cause any intoxicated elation. The smoker is quiet and peaceful compared with the noisy drunkard who seeks trouble at every turn. He remains where he is, causes no disturbance and is, on the whole, pleasant and calm. It is only later when the craving reappears that he shows irritability. For purposes of suicide opium is commonly swallowed in China though this is not now as frequent a practice as formerly.

MORPHINE: ITS PHYSIOLOGICAL ACTION.

Morphine was the first alkaloid to be discovered. It was first isolated by Serturner, an apothecary of Rimbeck, Germany, who announced its presence in opium in 1817. What has been said about opium applies equally to morphine though in a more marked form. Morphine seems to combine in itself the action of alcohol and strychnine; like the former it depresses the functions of attention and co-ordination of the brain, while, like the latter, it increases the activity of the spinal cord. The morphine-maniac feels compelled to use morphine as a stimulant and means of enjoyment to such a degree that disturbances of his whole system are produced with a resultant diseased condition. The dosage demands a steady increase until finally the individual becomes incapable of any mental work, of pursuing his calling, or of associating with other people unless he previously takes that quantity of morphine which will place him in mental and physical vigour for the time being. With this hunger for morphine other general disturbance occurs (tremor, gastric disorders, cough, etc.). These disappear shortly after another dose is taken.

MORPHINE CRAVING.

After each injection (for morphine is almost invariably taken hypodermically and rarely by mouth) there is produced a feeling of euphoria—a kind of inebriation of the senses combined with pleasant sensations. As soon as this intoxication wears off and the ordinary depression returns, the desire or feeling of necessity for morphine manifests itself anew; and as addicts are originally often weak in will power, or have become so from persistent use of the drug, they fall deeper into its toils.

MORPHINOMANIACS.

Sooner or later, sometimes in from six to eight months, often longer, the symptoms of chronic morphine intoxication appear. A morphinomaniac suffers from hoarseness, loss of appetite, tremors, depression and inability to do mental work, symptoms which, for a long time are relieved only by morphine. After the injection the patient feels rejuvenated and capable of doing anything.

Chronic morphinomaniacs do not live to an old age and are very liable to be carried off by an attack of relatively mild disease, or, if they escape this, pass into a condition of extreme weakness and emaciation and die from sheer bodily debility. In China, where the principles of asepsis are unknown and the hypodermic needles are dirty and infective, multiple abscesses produced by the injections are very common and add much to the misery of the victim.

MORPHINE: MEDICAL DOSE AND PREPARATION.

The average medicinal dose of morphia is from $\frac{1}{6}$ to $\frac{1}{4}$ grain, (there are 480 grains in one avoirdupois ounce) but this dose is soon exceeded and many morphia takers consume on an average about fifteen grains a day, while cases are known in which forty-five to seventy grains a day have been injected. The preparation of morphine entailing its separation from other alkaloids (Codeine, Heroin, Narcotine, Papaverine, Thebaine, etc.) is a highly technical process which the Chinese have happily not yet learned. It is confined to a very few drug-manufacturing firms which have special apparatus for its production. While for purely medicinal purposes a high standard of purity is essential, in other ways this purity is a drawback for if crudely made, morphine would be a dangerous and disagreeable drug which would render the habitual use of it uncommon.

EFFECTS OF MORPHIA ON THE SYSTEM.

The craving once established becomes a morbid habit and a form of mental disease. The victims are not able of their own accord to cure themselves and abandon these drugs. Morphia and opium demoralize. They make the habitué unreliable and untruthful. Everything that cunning slyness can do to get another dose is done. The "phenomena of abstinence" is a term used by doctors to describe the symptoms of a morphinomaniac from whom the drug is withdrawn. He becomes restless and anxious, craving for his morphine. He cannot sleep, jumps from his bed and moves around. Sometimes he becomes delirious and has hallucinations.

which are usually of a melancholic nature, together with severe muscular pains, and abdominal cramps.

Withdrawal of the drug is of course the only cure but whether this should be sudden or gradual depends greatly on the doctor in charge of the case. Nothing but the deepest sympathy can be felt for the victims of opium and morphia, especially those of the lower classes who are often entrapped unknowingly into the habit without having any idea of its consequences. One often hears of coolies entering a shop to buy pills, say for cough, of their being given a free hypodermic injection with an invitation to have more without payment whenever they may like to return. Needless to say after two or three visits, with the craving begun, all further injections have to be paid for. It is only by the establishment of special institutions into which victims can be sent that a cure can be effected. No morphia taker is ever able to cure himself and relapse is sure to ensue even if an effort, aided by friends and relatives, is made to help the victim to stop the habit.

To sum up the action of opium and its derivatives on the central nervous system, it produces great depression, which is primarily marked in the psychical functions and later in the sensory and nutritive systems. As stated earlier when taken in large doses for suicide, the failure of the respiratory centre is the cause of death. The habitue who gradually increases the quantity of the drug, occupies more and more of his time in its administration and if a smoker, often sixteen to twenty hours of the day being so employed. He neglects to eat, largely from disinclination, and thereby becomes a ghastly spectacle of emaciation and dirt. Skin seems to be the only covering to his bones, and with sunken eyes, hollow cheeks, and every joint protruding, he becomes loathsome in appearance, and revolting in habit. His digestive functions have very little activity and all of his body secretions are reduced, so that emaciation is progressive and permanent. He dies generally of starvation or some mild intercurrent sickness for which he has destroyed his resistance.

The morphinomaniac follows in the same course, but not infrequently he is carried off by blood poisoning resulting from many abscesses produced by dirty syringes and needles. Codeine and Heroin appear to resemble morphine in their general effects.

COCAINE AND ITS EFFECT ON THE HUMAN SYSTEM.

As regards cocaine, numerous cases of the formation of a habit similar to that of opium or morphine have been recorded. Some of these have been due to an attempt to substitute cocaine for morphine in the treatment of chronic morphinism, the treatment often resulting in the development of an irresistible craving for

both alkaloids. The symptoms of cocaineism generally begin with digestive disorders, loss of appetite, salivation and emaciation, but the more important changes occur in the central nervous system, which apparently undergoes degeneration similar to that seen in chronic morphine poisoning. Sleeplessness, tremors and occasionally convulsions, hallucinations, insanity and delirium have been noted after long abuse, together with indefinite disturbances of sensation and motion. The treatment of these cases is the withdrawal of the drug which is usually followed by great depression. This treatment is almost hopeless without sending the patient into the isolation of a special institution.

CHINESE, WHY PRONE TO NARCOTISM.

The conditions of life, the struggle for existence, the oriental propensity for narcotic drugs, the lack of education among the poorer classes, the want of ambitious instincts and the absence of all distractions, healthy and otherwise, which enter into the average European's life are all factors which make the Chinese people more prone to the pleasures of Narcosis. They demand from every right thinking man the utmost endeavour to do all that is possible to withhold temptation from them by the suppression of the import trade in Opium and Morphia and by helping this nation to stop cultivation of the poppy in its native land.

CHAPTER V.

THE BRITISH IMPERIAL ATTITUDE.

That satisfactory settlement of the trade in narcotics can be reached only by international agreements has begun to be fully recognized. If any doubt existed, the acceptance of responsibility in the matter by the League of Nations, and the appointing of a special committee which has already commenced to function dispose of all possible doubt in the matter. The decisions already reached by that committee lead the way to the completion of the work commenced by the Hague Convention in 1913. In such united action the British Empire necessarily occupies a leading position, not merely as one of the Great Powers, but because India a most important country of the many forming the Empire, is the chief producer of opium. It is probably the common opinion in all civilized countries that Great Britain, because she holds suzerainty over India, is in the main responsible for the opium traffic. As there is an unpleasant stigma attached to that traffic—that of the lust of gain overriding moral considerations, and of a great revenue made out of the degradation of a friendly nation—Great Britain is generally held blameworthy for the continuation of the Indian Opium Monopoly. Undoubtedly, there are many facts, which, if properly and carefully considered, would considerably modify this judgment. In spite of these, England is blameworthy in the common judgment of the world. 'It is not, however, our purpose to occupy the judgment seat and apportion blame, but rather to try to understand the situation so as to comprehend the principles on which the British Government acts, with a view to indicating how the matter of the cultivation of opium in India can be satisfactorily limited to justifiable requisite production.

MORAL CONSIDERATIONS OVERRIDDEN BY CONSIDERATION OF MONETARY GAIN.

It cannot be said that the British Government ignores the dangers arising from an uncontrolled trade in narcotics, nor does it ignore the moral side of the question. Undoubtedly for many years while there was continuous protest against the opium traffic between India and China, the British Government could not be

brought to recognize that this was a question in which the right should be followed even at a considerable loss. British officials in India, consuls in China, as well as British merchants and journalists justified the maintenance of the trade and when a Commission was appointed to enquire into the Indian Opium Monopoly that Commission, although there was an adverse minority report, concluded that the monopoly should continue. The opinion then generally held by those in Government circles may be found in the lectures given in 1882 by Mr. W. H. Brereton of Hong Kong. Mr. Sawtelle* says: "It is not necessary to say here that those people who are seriously exercised as to the evils wrought by the opium traffic would receive more attention from men of affairs if they could suggest some other source of income to replace the opium monopoly of India. India is a poor country and therefore cannot afford to indulge the ethical refinements of comfortable English philanthropists. Until the Government of India can be shown some other way of raising five or six million pounds sterling per annum, the efforts of the anti-opium party are not likely to succeed." There is no need now to reply to these arguments. The cynical indifference to the moral side of the question can no longer be kept up, and the only answer needed to Mr. Brereton's lectures and Mr. Sawtelle's sneers at English philanthropists is that the arguments and sneers are both out of date. The acceptance of the principles agreed to at the Hague Opium Convention by the Peace Conference at Versailles in 1919 and by the League of Nations has put the necessity of control of the traffic in dangerous drugs on a high moral plane, and the only question left is how to bring the articles of the Hague Opium Convention into effect.

That the British Government is not opposed in principle to the resolutions passed by the Hague Opium Convention is evident from various recent actions taken. Great Britain has its own laws enacted with the special purpose of confining narcotics to legitimate uses, and the same is true of the great Colonies, Canada, Australia, South Africa, and their different component States. In response to the decisions of the Hague Opium Convention in which Great Britain took a leading part, orders were issued to all the smaller British dependencies, such as Ceylon, Cyprus, the British West Indies, Nyassaland, Gambia, and even in such unimportant places at the Seychelles Island and St. Helena, corresponding legislation was enacted. Even in Hong Kong and Singapore, the Straits Settlements and the Federated Malay States, fresh regulations and ordinances were made to carry out the provisions of the Hague Convention. Through the greater part of the British Empire, then, there is no narcotic question. India

* "Actual India" 1904.

stands apart and must be dealt with separately. Something more, also, needs to be put into effect with regard to Hong Kong and the Federated Malay States. It may at once be pointed out that it is these portions of the British Empire which matter, and the narcotic question cannot be satisfactorily settled until the action of these Governments corresponds with the position taken by other portions of the Empire, and indeed with that taken by all civilized countries. Here, of course, is the crux of the whole problem, and the wisest course is to examine carefully into the situation, to endeavour to realize the difficulties of the British Indian, the Hong Kong and Malay Governments, and to see how these difficulties can be met. There can be no doubt that were it not for some practical difficulties the opium traffic would have been effectually limited long ago.

INDIAN FINANCE NOT CONTROLLED BY HOUSE OF COMMONS.

India, it must be recalled, is as large as Europe, excluding Russia, and more densely populated, containing a greater variety of peoples than can be found on any other equal surface of the globe. It may be divided into British India and the Native States, the latter covering nearly two-fifths of the country, with a population of 70 millions. This is an empire, but also a portion of the greater British Empire. On the British side there is the Secretary of State for India, a Cabinet Minister, assisted by a Council of ten, appointed by himself. He is responsible to the Government, and the Government, in theory, to the Crown, but in practice to the House of Commons and so to the British people. Indian finance, however, is not controlled by the House of Commons, although the Indian Budget is presented to the House as a matter of form, and the responsibility of the Secretary of State for India to Parliament can be enforced less than in the case of any other Cabinet Minister. On the Indian side there is the Viceroy, appointed by the Crown on the advice of the Government in power, and an Executive Council, which consists of the heads of the different State Departments—that is, of the Army, the Home Department, and the Departments of Finance and Commerce, of Law, of Revenue and Agriculture, and of Public Works. The Viceroy as the head of the Foreign Department, and the Commander-in-Chief of the Army also has a seat in the Executive Council. The Government of India functions as “The Governor-General in Council” and the Viceroy who holds this position has a power in some respects stronger than that of a king in a constitutional monarchy, exercising an initiative in the control of Indian affairs such as

* “Actual India” 1904.

would not be exercised by the British sovereign in the government of the British Isles. At the same time he is responsible to the Secretary of State for India and has to hold the balance between carrying out the policy of the government to which he is responsible and maintaining the independence of India against excessive British interference. British India is divided into six provinces and five agencies. Of these the governors of Madras and Bombay are appointed by the British Government, and on certain matters can correspond direct with the Secretary of State. The remaining provinces and agencies are administered by Governor Generals, Lieutenant Generals, or Chief Commissioners, and each has its provincial Council. The country is again subdivided into districts with commissioners over three or more districts and each district has its Deputy Commissioner, Magistrate or Collector by whom the actual administration of government is carried out.

On the whole the British Raj has stood for internal peace, and for the impartial administration of justice; but it is true that improvements could be introduced in the matter of the opium monopoly and excise duties gained from other narcotic drugs. The Indian Opium question is one of financial revenue. The Returns furnish one-tenth of the country's entire resources.

The question of revenue is a very serious one. The masses are very poor, and the uncertainty of rainfall keeps large districts on the verge of famine. The annual revenue is about one hundred and twenty millions sterling, and of this about twenty millions are required for the payment of interest on sums borrowed from Britain, pensions, etc. The revenue from opium and from excise amounts to over twelve millions sterling, the direct revenue from opium being over three millions, and the share in excise revenue derivable from opium being a little over four millions. Some part of the remaining five millions derived from excise also comes from narcotic and intoxicant drugs. Altogether over twelve millions is derived from these sources, opium, intoxicants, and other drugs—that is, more than ten per cent, of the country's revenue. The British Government does not control the revenue of the Indian Government, so it would be impossible to bring pressure to bear upon the Indian Government to abolish the opium monopoly and to suppress traffic in intoxicant liquors without some practical suggestions concerning the deficit that would result in the annual revenue.

The policy of the Indian Government is explained and criticised elsewhere. It is unsound with regard to the habitual use of opium permitted to the natives of India provided the opium is not smoked but is used as a household remedy, and its aim to obtain the "maximum revenue from a minimum of consumption"

rests on a fallacy. It is doubtful, however, whether the policy of leaving the principles of administration, the means of raising revenue, and other Government matters almost entirely in the hands of the administrators of British rule, the Governor in Council, is the wisest that could be adopted. The difficulty of demanding the abolition of the opium monopoly is largely due to this, since the British rulers in India have persistently advocated the retention of the monopoly, largely for fiscal reasons.

It remains to be seen whether with the creation of legislative councils a new policy will be followed and some means found of raising the necessary revenue without the degrading entanglement of the sale of narcotics on the part of the Government.

The opium exported from India is sold by auction at Calcutta and the opium merchants dispose of it. The Government of India and the Secretary of State accept no responsibility with regard to the opium sold to any country where the transaction is permitted by their Government. This action of throwing the responsibility of any misuse of the narcotic back upon the purchaser and holding the vendor blameless is not permitted under the legislation of civilized countries in the case of individual salesmen. These are regarded not merely as offenders against law, but are branded as guilty of criminal and disgraceful action. Those convicted are frequently punished by imprisonment. When the vendors are large corporations or wealthy merchants, or, as in the case of India, the monopoly belongs to the Government, no prosecution is permitted nor blame apportioned. This is one of those monstrous paradoxes by which great moral evils not only have leave to exist and continue, but flourish exceedingly. For this state of affairs, the British Government as represented by the present and previous Secretaries of State for India and the Indian Government must be held morally responsible.

THE SITUATION IN HONGKONG AND THE FEDERATED MALAY STATES.

The British Government has a fuller measure of responsibility in connection with Hongkong and the Federated Malay States, but here again the traditional policy of leaving measures largely in the hands of the local government obtains. In the case of Hongkong blame must be apportioned to the Colonial Secretary of the British Government. Arguments and facts directed against the Secretary of State for India or the Foreign Office have little effect upon them, for they are apt to provide merely a means of shifting the responsibility to another department. Those interested in the suppression of the opium traffic would wish the British Government to exercise a larger measure of control and insist on suppression. Local British officials and

the greater part of the residents belonging to the British race deprecate interference with colonial affairs and call for greater freedom.

In both Hongkong and the Federated Malay States the purchasers of opium are largely Chinese. The price of opium is kept at a high figure so as to make it a luxury for the rich, yet nevertheless in the Malay States it is possible for Chinese labourers to purchase opium, and suppression is deprecated as it is supposed it would increase the difficulty of obtaining the necessary labour.

In India, Hongkong and the Malay States, there are copious laws dealing with the opium traffic. Only limited supplies of opium may be purchased. Dealers must be licensed and the license is withdrawn from disorderly houses. In fulfillment of the agreements arrived at at the Hague Convention these rules and regulations have been increased in severity. To check the sales, the price of opium has been increased. The Hongkong Government points to the reduction by several million dollars in its revenues owing to the gradual suppression of the opium traffic. Prohibition, however, to the limit of medical uses is strenuously resisted by the British officials and the Governments of these Colonies and hence a considerable traffic continues. The moral effect of this on the other governments in the Far East is disastrous, for neither in China nor in Japan is the British Government credited with sincerity as long as there is a Government Opium Monopoly in these colonies. Apparently Downing Street is as unwilling to take the action that would finally end the misuse of opium in these places as it is unwilling to end the scandal with regard to India. The sales of morphia derived largely from British opium, and of herein and cocaine are heartily deprecated. The Governments of India, Hongkong, and the Straits Settlements, supported by the British Government, are apparently willing to carry out rigorous and suppressive measures limiting morphia traffic to medical requirements. At present, however, this is not the case with regard to opium, and no British Government has yet ventured to take the steps that would do more than anything else to remove this evil from the face of the globe. It seems strange since the principle of legal suppression of the trade in morphia and the other dangerous narcotics is admitted that the traffic in opium should still be permitted to flourish, for it is only a question of more or less evil, and the only reason for allowing the lesser evil to continue while the greater is condemned and suppressed is the securing of revenues. The arguments advanced in favor of permitting the sale of opium, such as that of opium being a useful household remedy, are mere excuses. It is also a simple absurdity to deprecate the free use of morphia, and

permit the growth of poppy and the preparation of opium on such a large scale that the amount of morphia manufactured out of it is thousands of times in excess of beneficial consumption. As an instance of British policy with regard to the opium traffic in the Far East, the case of Ceylon may well be cited. We take the facts given below from a Government Report entitled "Correspondence Relating to the Consumption of Opium in Ceylon Presented to both Houses of Parliament etc. May 1908."

THE SERIOUS SITUATION IN CEYLON AND THE POLICY PURSUED BY GREAT
BRITAIN IN DEALING WITH IT.

The matter is opened by a letter from Lord Elgin to the Governor of Ceylon, written in April, 1907, referring to previous enquiries and expressing regret that ever-increasing quantities of opium are being introduced into Ceylon, and suggesting the appointment of another Committee, to take evidence, the letter closing with this important admission; "I am prepared to consider any other course which you may be all able to recommend as likely to minimize and eventually prevent, except for medicinal purposes, the consumption of opium in Ceylon". The occasion for this letter arose from a question asked in the House of Commons concerning opium and poppy in Ceylon, and asking that since the importation of opium had increased from 1,000 lb. in 1850 to 20,000 lb. in 1905, and since the Buddhist High Priest and the Singhalese Representative on the Legislative Council had appealed to the Government to close the opium shops, whether any steps to suppress the opium traffic would be taken. Mr. Churchill gave the usual official reply of ignorance as to facts, but that the Government was instituting inquiries.

A Committee was appointed in Ceylon with Sir Allan Perry M.D. as Chairman. From the Report presented by that Committee in December, 1907, it appears that when the British assumed the Government of Ceylon, a customs duty of 20 rex dollars was imposed or continued, but the amount imported must have been inconsiderable as the Report continues that in 1840 the total amount of opium imported was worth only £1,561. The first known opium shop was at Chilaw in 1850, and the total amount of opium imported into Ceylon that year was 850 pounds. In 1867 licenses were first issued permitting the opening of opium shops. From this time the traffic began to flourish and the opium shops "were opened freely". In 1890 there were 31 opium shops, in 1897 there were 56 shops and in 1907 the number reached 65. In 1893 public meetings were held and petitions were signed praying the Government to place restrictions on the sale of opium, stating that "there was nothing in the case of Ceylon or its people

to prevent the application of the same regulations for the sale of the drug as have been granted in the United Kingdom." The Ceylon Poisons Ordinance includes opium, and the Committee say that "therefore no one should sell opium or any preparation thereof except under the special conditions therein laid down", but owing to the legislation introduced with regard to licenses opium was apparently tacitly exempted from the operation of the Poisons Ordinance. The petition was signed by 13,957 Singhalese, 11,878 Tamils, 1,265 Eurasians, and 730 Europeans and other residents, but no change was made by the Government for four years, when on November 15th, 1897 the import duty was raised to two rupees per pound. A select committee, it is said, was appointed by Mr. Chamberlain in 1898 as the opium habit had spread among the people to a remarkable degree, the consumption of the drug having increased from 12,713 lb. in 1894 to 18,285 lb. in 1897. The Committee recommended the imposition of certain restrictions and that "no addition should be made to the number of licenses already existing in any locality without the express sanction and approval of the Government", but the number of licensed shops had increased 25 per cent. in the course of a few years. Attention is then drawn to the fact that smuggling must take place on a large scale for while the opium shops had nearly trebled in number the amount of opium imported remained about the same. Other important facts are mentioned, such as that no Singhalese or Tamil villagers had ever requested that an opium shop be opened in their midst. The call for fresh licenses coming from opium renters and licensees was also cited. Their natural object was increased profit, leading them to attract and capture as many new customers as possible from among the men and women of the villages, and so tending to spread the opium habit among persons who had never touched the drug before in their lives. Sir Charles Aitchinson is quoted as having written with regard to Burma, "Licensed shops not only supply an existing demand, but artificially create a taste for the drug."

The increase in revenue is pointed out. In 1893 the Government received for licenses the sum of 4,000 rupees, but in 1906 this had increased to 37,360 rupees, and also Customs duties of 37,770 Rs. Municipal and Local Boards in 1893 received Rs. 69,119, and in 1906 Rs. 122,187.

As regards medical needs, in 1906 out of 18,885 lbs. of crude opium the Government Hospitals and the large firms of chemists and druggists had used 411 lb., 11 oz. No fewer than 19,847 persons were known to be addicts. Then five Resolutions were passed recommending that the system of renting and licensing be abandoned; that on the expiration of a license the present opium

shops be closed; that the sale be made a Government Monopoly; and that "the use of the drug, except for medical purposes should be entirely prohibited after a definite period."

The Report was accompanied by seven Appendices. The first of these was a letter from the Hon. F. R. Ellis, dwelling chiefly on certain details, but stating that "the present Government is really in total ignorance of everything connected with the business." Mr. Ellis also expressed himself as opposed to the plan of allowing the purchaser to take the opium to his home, and considered that the opium bought should be consumed on the spot, because the practice of taking home the opium helped to spread the habit among others. The evidence taken is classed under three heads: that of Headmen, of Medical Officers, and of the General Community. There are nine answers given by the Headmen, and fourteen by members of the General Community. All these answers give one testimony as to the thoroughly evil effects of the opium trade, many of them giving full details. Of the Headmen one, A. Dissanaïke, writes: "the use of opium was once on a very limited scale confined to those ailing with some disease, and is now become a general habit with the people. It has now become a pernicious habit, gradually and insidiously gaining on the community. I am aware of individual cases where opium eating or smoking has proved injurious and ruinous to the constitution, and in almost every case to the character of the individual About fifty years ago there were about five or six hundred who used it, but now the number has increased tenfold, and in some places even fifteenfold." "The corruption of the lower classes is not a little attributable to opium eating and smoking The intelligent and higher classes are afraid to use opium on account of its insidious nature. During the last fifty years it has rapidly increased in the towns and suburbs and the interior villages to such an extent that there must be 50 and even 75 per cent. of the population addicted to it." From the General Community evidence, we select one bit of testimony as a sample:

Mr. H. A. de Silva of Darley Gardens, Colombo, wrote that the opium habit had invariably produced bad results physically, morally, and in the social condition of the eater. He says: "It is spreading rapidly in the villages of the Western Province and this expansion is aided by a regular system of illicit sales. In about every village there are persons from whom the drug can be obtained. This system of illicit selling is rapidly spreading, and the headmen are powerless to check it, for a man who thus sells opium and keeps it avowedly for his own use, is a walking shop from whom the villagers can obtain their five cents' worth of drug."

The evidence of thirty-eight medical men and apothecaries is given. Of these seven maintain that the opium habit is a good thing; fourteen may be considered neutral; and seventeen condemn it as bad physically, morally and socially. Some of those who are neutral and some of those who approve confess that they know very little about the question. Some admit that opium is useful for relieving rheumatic pain and in the treatment of diabetes. Some admit that the habit is spreading. Of those who defend the habit, one is a physician in charge of a Leper Asylum and he considers that the lepers reap some benefit, but he admits there is no opium shop in the village. Another, an apothecary, is strongly in favour of it, and declares that the harm done by drink is much worse. Possibly this somewhat warps his judgment, for he actually writes of habitués "mentally, with them the habit has been a force which has made them look on life as something earnest. Their powers of thinking are quickened, their working ability strengthened, and they feel a general sensation of well being. From the cases known to me and from what I know of the opium habit, the moral degeneration is infinitesimal compared to what alcohol does to the human family in this respect. Socially, an opium eater is a bright fellow, a happy conversationalist, and not the 'mischievous bounder' a man in drink is." Such testimony, except in so far as the drink habit is condemned, is so at variance with the universal testimony concerning those who habitually take opium, that it can only be ruled out as valueless. How opium affects lepers does not have any value as evidence concerning the general effect on other people, and so of the seven maintaining that the opium habit is a good thing, one of whom is an apothecary who profits by the sale of narcotics, two can be set aside. That leaves only five whose evidence is in favour of opium, and of the others the answers are very brief, generally admitting that very little is known by them. The evidence against the use of opium is in nearly every case given fully and well substantiated. One example may be given: Mr. P. D. S. de Silva wrote: "I have come across several opium eaters here and in other districts. Some of them were not able to give any reason for acquiring the habit. Generally the habit of taking opium has produced bad results. Most of them become idle loafers about the opium shop. Physically, they become unfit for hard work.....indirectly the habitual opium eater introduces his friends to the habit by recommending the drug as a remedycoolies who work hard generally become opium eaters by taking small quantities in the beginning for some sort of pain in their body on the recommendation of some opium eater. The habit of taking opium is increasing in the district."

While the medical testimony is not unanimous, it is on the whole overwhelmingly condemnatory of the opium habit, and when taken together with the other evidence given, it must be apparent to everyone with an honest, unbiased judgment that the opium traffic, except for medical uses, is very injurious to the people of Ceylon.

The Governor, Sir Henry McCallum, sent in the Report of the Committee to the Secretary of State on January 30th, 1908, and after consultation with the Executive Council wrote to Lord Crewe giving his judgment and that of the Council. The recommendations of the Committee to abandon the present system of rating and licensing and to close all the opium shops in the Colony from January 1st, 1909, were accepted and with Lord Crewe's approval the necessary legislation was introduced. This implied a Government Monopoly, the retailing from Government dispensaries to habitual users, and arrangements for the sale of opium for the use of cattle, etc. Although the Governor and the Council thus approved of the Committee's decisions to some extent, it was not done without some deprecatory remarks. Sir Henry remarks that some of the "unofficial members were all known to hold more or less strong views adverse to the free consumption of opium in Ceylon, and he adds: "This is, I venture to think, somewhat regrettable because it rendered the nature of the Committee's report from the first something of a foregone conclusion, and the medical evidence adduced before the Committee, more especially that of the older and more experienced medical practitioners, certainly affords no justification for alarm." Thus the force of the Committee's report is watered down, by suggesting bias on the part of some members of the Committee, by emphasizing the value of the few medical practitioners (one of them merely an apothecary) justifying the habit, and by quoting nothing of the large amount of evidence against the free consumption of the drug. The fifth recommendation of the Committee that the drug, except for medical purposes, should be prohibited after a definite time, is one upon which "at the present moment I am not prepared to announce an opinion" and as that recommendation was made in 1908, and the drug is not prohibited the 'moment' has lengthened out into thirteen years. It was, of course, merely a method of shelving the question.

The Governor, supported by the majority of his advisers, then expressed doubt "as to the extent to which the proposals of the Committee will result in actual practice in the discouragement of the opium habit." The reason for this is the expectation of increased smuggling with the decline of the importations of opium, a difficulty which it has been pointed out by other high officials

in British Colonies can only be met by reduced production of opium. The Governor finally makes proposals to meet probable reductions in revenue.

The Secretary of State, Lord Crewe, wrote in reply approving of the recommendations and said "it affords me much gratification to note that the Colonial Government have spontaneously recognized the necessity of taking adequate measures to restrict the use of opium within the narrowest possible limits."

The result of the Government action has certainly been a considerable reduction in the amount of opium imported into Ceylon from India. Miss LaMotte gives the following figures taken from Government Returns :

Year	1912-13	1913-14	1914-15	1915-16	1916-17
Chests	50	105	80	65	80
Pounds (at 160 lbs. to the chest)	8000	16800	12800	10400	12800

(The amount in pounds we have added ; they are not in Miss La Motte's quotation from Government Reports).

The proposal of limiting the importation of opium to medical requirements is still far from realization. The amounts required in the Government Hospitals and by the large chemist and druggist firms was only 411 lb. 11 oz. Taking an average of 500 lbs. as representing medical uses, or between 3 and 4 chests, we find that in 1916-17 there were imported as many as 12800 lbs. of opium, or between 76 and 77 chests that would be all used to satisfy the cravings of addicts or to add to their number.

This case of the manner in which the opium traffic in Ceylon has been dealt with is a very useful example of the attitude of British Governments in dealing with the drug question.

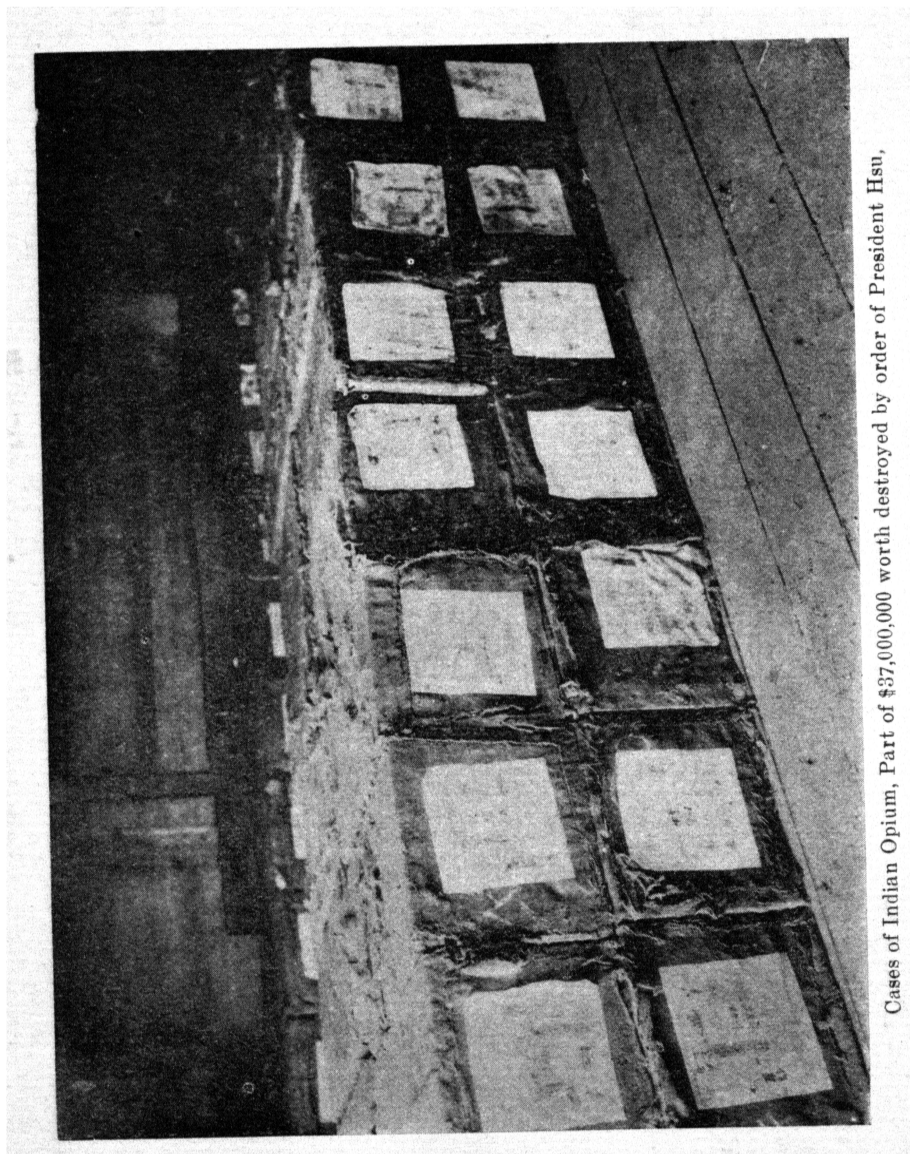
NEED FOR REDUCTION OF THE OPIUM TRAFFIC AND LIMITATION OF THE TRADE TO MEDICAL AND SCIENTIFIC REQUIREMENTS.

In this case very good reasons are given for the reduction of the trade to those limits where it becomes beneficial and not injurious. The case for thus limiting the traffic in narcotics is particularly strong with regard to Ceylon. The Governor, Sir H. McCallum, in his letter made this statement: "I think it is generally admitted by those who have had personal and extended experience of opium consumers among native races, that while the vast majority of Chinese can consume opium constantly without any marked ill effects, and without indulging to excess, the opium habit almost invariably leads to over indulgence and to physical and moral injury if the consumer belong to one of the brown races." The remark concerning the Chinese is one of those fictions that

many British authorities in the Far East are pleased to maintain although they deceive no one but the Government at Downing Street. It does not, however, affect the present case, as in the Report of the Committee it is stated that "In Ceylon there are practically no Chinese (only 26 males and 13 females by the last Census) to complicate the question of reform. The admission concerning the habit as it affects the brown races is very important. We have then, the Governor of Ceylon, experienced in such affairs, stating that the opium habit is very injurious to the native population of Ceylon. This was supported by the resolutions and recommendations of a Government-appointed Committee. The evidence they give is wholly confirmatory. Headmen and the general community condemn it as well as the majority of the medical profession. The people at large meetings and by tens of thousands of signatures protest against the traffic. The Buddhist Priest and his followers petition against it. The evil habit is admittedly spreading fast among the population and the two British Secretaries of State express their desire to have the traffic satisfactorily settled to free the Singhalese from this admitted evil. On the other hand, the Governor can only point to the evidence of seven medical men and apothecaries in favour of the trade, and three of these confess ignorance of the subject. One Governor, the Hon. F. R. Ellis, says in a letter to the Secretary of State, that the Government (presumably of Ceylon) is "in total ignorance" of what is being done. The Governor and his Executive Council recommend the Committee's proposals, but shelve the question of prohibition. So, considerable limitations are put upon the trade, reducing the evil considerably, but since the Governor and Executive Council deliberately chose not to recommend prohibition the mischief has only been scotched, whereas it might have been killed outright. The Bulletin of the Society for the Suppression of the Opium Trade, London, of April, 1921, says: "Carrying on their one item of trade, the Indian Government (so says the Rangoon Gazette) arranged from October 1st of last year that opium required for consumption in Ceylon will be sold direct to the Government of Ceylon. Subject to certain subsidiary conditions the agreement will remain in force for a period of three years and three months and a fixed price will be paid. The number of chests of uncertified Benares opium offered for sale by public auction in Calcutta is exclusive of any such quantity sold direct. In other words, all the opium sold directly to any Eastern Government asking for it is in addition to what is sold by auction. Quite a modest sum of a few pounds sterling would pay for all the opium "required" in a year by the whole population of Ceylon. All the rest is in direct contradiction and viola-

tion of the principles and methods we are adopting in this country to protect our people from the misuse of the deadly drug."

Why does this scandalous traffic continue by permission of the British Government? Because the Governor General and the Executive Council did not desire prohibition? Why, in face of the imperative reasons demanding prohibition was it refused by these gentlemen? Who can say? Was it from a perverse and stupid conservatism that opposes all change however beneficial? Or, after all, was the overruling motive the desire to maintain revenues, the monetary interest overriding all other considerations? Who can solve the riddle? One thing is clear. Downing Street will not act until it has the recommendation to do so from the satraps at the head of its Government in Eastern countries, and their Councils. Who can convince men like Sir Henry McCallum and his Council when they deliberately shut their eyes to facts, and who shall compel Downing Street to alter its traditional policy, good enough in the main, but infinitely mischievous when carried out with inflexible and senseless obstinacy?



Cases of Indian Opium, Part of \$37,000,000 worth destroyed by order of President Hsu,

CHAPTER VI.

THE ATTITUDE OF THE INDIAN GOVERNMENT.

INDIA THE WORLD'S LARGEST PRODUCER OF OPIUM.

As the world's chief producer of opium, and consequently as the chief factor in the production of morphia, heroin and other derivatives from opium, India, and the attitude and policy of the Indian Government, must be considered of the first importance in regard to the narcotic question. As regards morphia, were the Indian Government willing to draw its revenues from unquestionable sources, and determinedly to set itself to eradicate the mischief wrought by this drug throughout Asia, the evil would disappear in a very short while, not only in Asia but throughout the world. There would be such a reduction in the amount of opium available that manufacturers of morphia and heroin could turn out only very limited supplies. Legislation would then become possible to limit not only the production of opium and its derivatives, but also that of cocaine and other similar drugs, such as the products of Indian hemp.

INDIFFERENCE OF THE INDIAN GOVERNMENT.

For many years, the Indian Government, ignoring all the protests made against its action as immoral and ruinous in its effect on Eastern nations, persistently and obstinately continued to produce opium in ever increasing amounts. Of late years, however, as the enlightened and well informed sentiment of all civilized peoples has agreed in condemning indulgence in narcotics, the Indian Government has been constrained to modify its attitude, but only in a very limited degree. It still takes, by a very long way, the first place as producer of opium and consequently, in an indirect manner, of morphia. It would be easy, then, to endeavour to throw upon the Indian Government moral responsibility for most of the mischief wrought by the traffic in narcotics. It is more practical, however, to study the position held by the Indian Government in order discover in what respects its policy may be wrong and then suggest lines of action that the British and Indian Governments may take, in order that the best ends of humanity be served.

To do so it is necessary first of all to enquire, what is the real attitude of the Indian Government with regard to the opium traffic? This may be gathered, partly from the publications of the Indian Government, partly and chiefly from its actions, and partly from the utterances of Indian statesmen, and of British statesmen of the India Office.

THE ABSOLUTE POWER OF THE INDIAN GOVERNMENT IN REGARD TO OPIUM

The cultivation of poppy and sale of opium being a State Monopoly, the Government of India is rightly held responsible for the maintenance of the traffic in the drug. The power the Indian Government has in the matter is as absolute as any human power can be. It is laid down by Act XIII of 1857 "The Governor General of India in Council may authorize, by an order of Government, the cultivation of the poppy and the manufacture of opium in any district or districts without license from a sub-deputy agent or other officer of the Government."*

Under the Opium Act of 1878 "The Local Government, with the previous sanction of the Governor General in Council, may, from time to time, by notification in the local Gazette, make rules consistent with this Act, to permit absolutely, or subject to the payment of duty or to any other conditions, and to regulate, within the whole or any specified part of the territories administered by such Government, all or any of the following matters:—

- (a) the cultivation of the poppy ;
- (b) the manufacture of opium ;
- (c) the possession of opium ;
- (d) the transport of opium ;
- (e) the importation or exportation of opium ; and
- (f) the sale of opium, and the form of duties leviable on the sale by retail."

This is followed by a provision referring to sea-duties. Further similar powers are given regarding warehouses, and penalties can be inflicted, and doubtless are inflicted, on any one acting in contravention of the rules made.

* The Excise Manual, United Provinces, Act. XIII of 1857. 31, page 7.

**TERRIBLE RESULTS OF INDIA'S PLENIPOTENTIARY POWERS: STATISTICS
SHOW THE ENORMOUS INCREASE IN TRADE.**

Here are powers plenipotentiary, and the Indian Government has made ample use of them, creating an enormous trade and flooding the countries of the Far East with poppy juice. When the trade in opium with China was at its height, in the year 1904-5 613,996 acres were under poppy cultivation in India.

The value of opium exports to different countries was as follows:—

	1904-5	1905-6
China Treaty Ports	£1,504,604	£1,130,372
Hong Kong	£4,036,436	£3,775,826
Straits Settlements	£1,262,834	£1,163,259
Java	£ 78,383	£ 70,960
Siam	£ 58,000	£ 47,062
French Indo-China	£ 76,333	£ 50,345
Other Countries	£ 65,705	£ 76,418
	<hr/>	<hr/>
Total	£7,082,295	£6,314,242
	<hr/>	<hr/>

By the year 1912-13 these figures had altered somewhat, the amounts imported into China Treaty Ports having increased to £3,242,902 and into Hongkong having decreased to £2,400,870. Other fluctuations are noticeable, but decreased trade is compensated for by Japan becoming a purchaser in 1912-13 to the extent of £129,545, an event of ominous import, and the total value had increased and stood at £7,481,088.

The above figures refer only to export trade, but a larger home trade is done among the people of India as the following table will show, "excise opium" being for foreign exportation, and "provision opium" for home consumption. In addition to these, opium is also prepared by the Indian Government for medical purposes, and the amounts manufactured as "provision opium" are for the indulgence of narcotism or for household remedies among the people of India. The following statement taken from the Peking and Tientsin Times Anti-Opium Supplement, September 6, 1920, shows the extent of acreage under cultivation and the amounts of opium produced.

STATEMENT showing the REVENUE derived from OPIUM, the AREA under POPPY and the OUTTURN during the period 1910-11 to 1916-17.

	Revenue Opium (net)	"Excise" (gross)	Total	"Excise" Opium quantity manufac- tured	Provision opium quantity manufac- tured	Area of culti- vation	Output in maunds of 87 lbs.
	Rs	Rs	Rs	Accts	Chests	Acres	maunds
1910-11	9,41.29.574	155.56.205	10.96.85.779	8.611	15000	362.868	44.926
1911-12	7,84.77.394	1.57.46.775	9.42.24.169	9.126	14000	200.672	31.473
1912-13	6.78.72.944	1.78.24.021	8.56.96.965	9.947	7000	178.263	26.813
1913-14	91.86.578	1.93.71.719	2.85 58.297	8.307	12000	144.561	24.292
1914-15	1.37.71.945	1.94.98.845	3.32.70.788	8.943	10000	164.911	28.293
1915-16	1.15.37.341	2.05.45.065	3.20 82.806	8.391	12000	167.155	27.001
1916-17	3.37.14.162	2.11.46.200	5.48.60.362	8.732	12000	204.186	32.124

It is not possible here to give complete statistics, of any period later than 1916-17, but the above statement will give some idea of the extent of the trade done in India itself, with the countries of the Far East, and with other countries. The closing of the China market certainly affected the Indian opium trade, but no statistics are available to show to what extent. The fluctuations indicated by the following figures are worthy of notice.

<i>Year.</i>	<i>Acreage under cultivation.</i>	<i>Opium revenue.</i>
1910-11	362,868	£7,521,962
1913-14	144,561	£1,624,878
1916-17	204,186	£3,160,005

These figures prove that the acreage under poppy cultivation, and the revenue derived from opium were at one time greatly reduced. They now appear, however, to be again on the increase.

THE FOLLOWING FIGURES SPEAK FOR THEMSELVES:—

	<i>Excise</i>	<i>Opium</i>	<i>Total Revenue.</i>
1907-8	£6,214,210	£5,244,986	£88,670,329
1908-9	£6,389,628	£5,844,788	£86,074,624
1909-10	£6,537,854	£6,534,683	£91,130,269
1910-11	7,030,314	7,521,962	97,470,114
1911-12	7,609,753	6,961,278	100,580,799
1912-13	8,277,919	5,124,592	106,254,327
1913-14	8,894,300	1,624,878	105,220,777
1914-15	8,856,881	1,572,218	101,534,375
1915-16	8,632,209	1,912,514	104,704,041
1916-17	9,215,899	3,160,005	118,799,968

The "Statistics of British India for 1918" says on the subject of Excise "Revenue: During the ten years ending with 1916-17 the net receipts from Excise duties increased...at the rate of 47 per cent, the receipts from opium (consumed in India, not exported) being at the rate of 44 per cent, the net receipts from liquors and from drugs other than opium the increase being at the rate of 48 per cent. This large increase is due not merely to expansion of consumption, but also to the imposition of progressively higher rates of duty and the increasingly extensive control of the excise administration. The revenue from drugs (excluding opium) has risen in ten years...the increase being at the rate of 67 per cent."¹

The Excise duties are collected on liquors and intoxicating drugs, on opium and other narcotics, and it seems reasonable to suppose that the financiers in the Indian Government found by the increase of excise duties, compensation for the decline in revenues from the decline in the opium trade through the loss of the trade with China, but this compensation being insufficient it became necessary to increase the acreage under poppy cultivation, finding other means of disposing of the opium, and thus the desired increase of revenue has been steadily maintained.

The Excise duties do not affect the opium question directly, but we cannot ignore the fact that a large amount of revenue is derived from the imposition of duties on such drugs as ganja charas, and bhang prepared from Indian hemp (*Cannabis Indica*). While the increase of revenue might appear to indicate that the consumption of these noxious drugs had increased, it must be remembered that the increased revenue is partly due to enhanced values and heavier duties.

THE PROBLEM CONFRONTING THE INDIAN GOVERNMENT.

Before criticising the attitude of the Indian Government we may briefly state the problem by which it is confronted. India is a poor country, with a crowded population composed of different races, with different religions, all united under the British rule. The problem is, under these difficult and complex conditions to secure the prosperity of the country, maintain peace, and raise the necessary revenues, while the majority of the people are extremely poor.

DANGEROUS NATURE OF TRAFFIC NOT AT FIRST REALIZED.

It may be admitted that when the opium traffic first commenced, the immorality of the trade, the dangerous nature of the

¹ The Opium Monopoly. Ellen N. LaMotte. The Macmillan Company. 1920.

drug, and the incalculable mischief to be wrought among the Chinese and other nations were not realized.

The early protest against the immorality of this trade has been unceasingly repeated, and as persistently unheeded by the Indian Government until recent years. That the trade should be continued when in a variety of ways the judgment of all civilized nations consents to the wisdom and rightness of strict legal control over the sale of narcotics because of their addictive qualities, seems astounding, but no fair judgment can be given without a full acquaintance with the facts, and these we shall now state as they are presented in the official publications of the Indian Government.

INDIA'S GENERAL POLICY WITH REGARD TO NARCOTICS AND
INTOXICATING LIQUORS.

The opium question in India is complicated by the excessive use of intoxicating liquors and the sale of narcotics other than opium, and of intoxicating drugs, with all of which the Government has to deal, and in the Excise Manual of Bengal* there is a statement of the general policy of the Government which shows the connection, from an administrative point of view, between the liquor and the drug trades. The Government policy is.

- (i) That any extension of the habit of drinking should be discouraged.
- (ii) That taxation should be as high as possible without encouraging illicit manufacture or vend.
- (iii) That subject to these considerations *a maximum revenue should be raised from a minimum consumption* of intoxicating liquors.

This declaration of Government policy is followed by other necessary statements, such as that the traffic should be conducted under suitable regulations for police purposes, the number of places for sale of liquors and drugs should be limited, "that efforts should be made to ascertain the existence of local public sentiment, and that a reasonable amount of deference should be paid to such opinion when ascertained."

The Indian Government has to deal with the use of "intoxicating liquors," "intoxicating drugs" (which are for the most part preparations of Indian hemp, and do not include opium and its derivatives), and narcotics, mainly opium, together with such derivatives as morphia, heroin, etc., and cocaine. The Government

* Manual for the Guidance of Officers of the Excise and Salt Department. Bengal. Vol. I. Calcutta, 1918.

does not feel that it can be left to the individual to act as he wishes with regard to the free use of these stimulants and narcotics, but considers it to be its duty to hinder the consumption of these articles, and so far is in agreement with other civilized governments that impose regulations, enforced by penalties, controlling the manufacture, sale, and use of such.

One sentence above we have italicised, "a maximum revenue should be raised from a minimum consumption," and it will be shown that this is the main principle on which the whole scheme of Indian Government control of intoxicating liquors and addictive drugs is founded. The indication that local public sentiment should be considered is important, for this might lead to local option, and the inhabitants of any district might consider prohibition "reasonable," in spite of the fact that the loss of revenue might appear to the Government quite unreasonable.

The statement of policy given above was made more than a quarter of a century ago, and "the principles were reaffirmed in 1904 in a letter from the Government of India to the Local Government when the Government of India added that they were fully alive to the evil consequences of drinking in excess, and that the raising of revenue had never been set forth as a primary object of excise administration."* It is difficult in the face of the persistence with which the Indian Government has worked the Opium Monopoly, and after what we have observed regarding the way Excise duties made up for the decline in the revenue during the years 1912-13-14 owing to the falling off in opium revenues, to believe that in the minds of the Government raising revenue has not been a primary object of excise administration, although we can believe that "it has never been set forth as such," for here we are bound to hold fast to the accepted belief that actions speak more than words, and it is by its actions that the Indian Government must be judged.

This is not all, for in the following year in appointing the Indian Excise Committee the Government of India again emphasized its policy. After repudiating any desire to interfere with the moderate use of alcohol the Government resolution said "the settled policy of Government is to minimise the temptation to those who do not drink and to discourage excess amongst those who do; and to the furtherance of this policy all considerations of revenue must be absolutely subordinated. The most effective method of furthering this policy is to make the tax upon liquor as high as it is possible to raise it without stimulating illicit production to a degree which would increase instead of diminishing the total con-

* Bengal Excise Manual p. 24.

sumption, and without driving people to substitute drugs for alcohol, or a more for a less harmful form of liquor."* This may seem to apply to the control of alcoholic liquors, but from the Punjab Excise Manual we extract this: "though it has not been laid down in this connexion it is a principle of excise policy, applicable to opium as well as to liquor, to obtain *the greatest possible revenue from the least possible consumption.*" Here again we have the maximum revenue and the minimum of consumption, and in spite of the plausibility of some of the statements in the Government policy we find it impossible not to believe that the question of maximum revenue outweighs practically all other considerations.

THE MORE IMMEDIATE QUESTION OF OPIUM.

Turning to the more immediate consideration of opium, apart from all other drugs, we find that the Indian Government discriminates between the eating of opium and the use of the opium pipe. From the Punjab Excise Manual we make the following extracts.

"Though the Government of India has always regarded the opium trade as one which needed careful control and regulation, it has in recent years adopted a more definite policy of restriction. This forward policy dates from the decision of the Chinese Government to suppress opium smoking, and from the findings of the International Opium Commission which met at Shanghai in 1909.

In considering the recommendations of the Opium Commission the Government of India accepted cordially the principles on which they were based. These principles were two: the necessity for the gradual suppression of opium smoking and the advisability of either prohibiting or regulating carefully the use of opium for any other purpose.

"In endorsing these recommendations the Government of India emphasized the distinction between opium smoking and opium eating. Opium smoking is uniformly reprobated by public opinion in India. It is a social vice, and the danger of its contagion, when practised in public, furnishes strong justification for adopting measures which approach as nearly as is practicable to total prohibiting." (Then follows the limitation of the amount allowed to the smoker of half a tola at one time.)

"The practice of eating opium stands on a very different footing. As a vice it scarcely exists in India. As taken in moderation by the average Indian, opium is eaten either as a mild stimulant, as a prophylactic against malaria, for the relief of pain, or in the treatment of various ailments. It is in fact a household

* Bengal Excise Manual p. 4. sec. 5.

† Punjab Excise Manual. Vol. II, Opium. p. 16 §28.

remedy for many ills, prescribed by centuries of inherited experience. All the Government has to do here is to prevent excessive consumption. The obvious means of doing this is to enhance the price of opium so far as is consistent with the prevention of illicit traffic. Moreover, though it has not been laid down by the Government of India in this connexion it is a principle of excise policy, applicable to opium as well as to liquor, to obtain the greatest possible revenue from the least possible consumption." (Punjab Excise Manual. Vol. II. Chap. II. pp. 15-16.)

Believing that this opinion expressed in the Punjab Excise Manual was fallacious, the International Anti-Opium Association in Peking corresponded with certain medical societies and corporations in China asking for their opinion on the difference between opium smoking and opium eating, and the following replies were received. With one exception, the reply from the Medical Faculty of the University of Hongkong, it will be seen that there is a remarkable concurrence of opinion that opium eating is as bad, if not worse, than opium smoking, and so far as this represents the opinion of the medical faculty in China it must be admitted that it is based on a very wide acquaintance with the facts, for opium eating was before the opium reformation exceedingly common among the poorer Chinese. As a scientific judgment nothing could be better than the evidence presented by Mr. Read, of the Peking Union Medical College who quotes from unimpeachable authority.

"Cushny, the great authority, makes the general statement that of the three methods, i.e., smoking, eating and injecting, the first seems to be the least harmful. Cushny is a most conservative writer, and you may take it for granted that this statement is based upon the results presented by various scientific workers.*

It has been claimed by Hartwick and Simon, 1903, that opium smoke does not contain morphia, but Pott, 1912, proved that morphia is present. The most recent article that I have come across on this subject is in the *Pharmaceutical Journal* (1920) page 274, in which a careful analysis was made of the smoke from chandos (the Chinese smoking variety of opium as prepared by a long and elaborate process from the original material), which gives only 0.016% of morphia, there was no carbon monoxide and no nicotine, the pyridine value was low; from which scientific figures I think one can most safely conclude that the opium smoker gets very little morphia and certainly less nicotine and coal gas than the average tobacco smoker.

* Arthur R. Cushny, M.A., M.D., L.L.D., F.R.S. Professor of Pharmacology the University of London; Examiner in the Universities of London, Manchester, Oxford, Cambridge, Glasgow and Leeds; Formerly professor of *Materia Medica and Therapeutics* in the University of Michigan.

We request that if any use is made of the first paragraph of this letter the second and third paragraphs should be given equal prominence.

On behalf of the Medical Faculty,"

(signed) W. R. MORSE, *Dean.*

UNIVERSITY OF HONGKONG.

14th January, 1921.

"I beg to inform you that the members of the Medical Faculty of the University of Hongkong do not wish, as a body, to express an opinion upon the extracts from the Punjab Excise Manual Vol. 2. submitted."

(signed) KENELM H. DIGBY, *Dean.*

This striking testimony from eminent medical men, thoroughly acquainted with the subject, forms a distinct challenge to the India Government. There has been no word in support of the statement contained in the Punjab Excise Manual, and the only refusal to express an opinion comes from Hongkong. Since no reasons are afforded for this silence it is difficult to believe that the Medical Faculty of the Hongkong University do not consider that it is more discreet to maintain silence than to express an opinion that might be viewed with disfavour by the Hongkong Government.

It is maintained that the policy of the Indian Government in obtaining a large percentage of the revenue from the sale of opium and of alcoholic liquors has been a profound mistake. The pleas in its support found in Government publications and the utterances of British and Indian statesmen, are entirely fallacious. From a sociological and scientific standpoint they are found untenable, and in the eyes of all countries there attaches an indelible stigma to the British rule in India, deeply deplored by enlightened and well informed Britons. For the sake of its own credit, and for the welfare of the people of India subject to its rule, the British Government should immediately take steps to end this gigantic scandal and the British people are here appealed to, to see that their Government does its duty, that at international conferences Briton may face all other nations with no loss of honour and respect, because of this accursed traffic.

For one recent action of the Indian Government we may be thankful. In July, 1921, the Governor General in Council in India has prohibited the export of poppy seed to China, and has empowered the postmasters at Calcutta, Bombay, Madras, Rangoon, Aden, and other centres to search all articles in course of transmission by post to China for poppy seed, and to deliver all postals

articles reasonably believed to contain such to the nearest collector of customs. Anything that lessens the growth of poppy in China is good, but does the Governor General of India do this for China's welfare, or to protect the Indian traffic in opium?

INDIA'S MEASURES FOR CONTROL NOT IN CONSONANCE WITH SPIRIT OF HAGUE CONVENTION.

The extracts from Indian Government Manuals already referred to fairly state what is the professed policy of the Indian Government. Before comparing these statements with the acts of the Indian Government, by which it may be seen how far the Indian Government carries out its professed policy, and the means it takes to do so, there are more recent utterances from the India Office, Whitehall, that have an important bearing on the subject and must not be ignored. The Edinburgh Anti-Opium Committee recently published a paper,* in which are presented the latest views of the India Office. After stating the view of the friends of the anti-opium cause that the aim of the resolutions of the Hague Convention was intended ultimately to limit the use of opium as well as morphia and other derivatives to legitimate medical uses, it shows that the Indian Government disagrees with this position. Sir William Meyer, Finance Minister, is quoted as saying in a speech on the Indian Budget Debate, 1914, that *"he did not admit the wickedness of sending opium to China, and while the amorphous Government of that country could not control its affairs very efficiently, other countries could, as they knew how, like India, to realise a maximum of revenue from a minimum of consumption."* That this view is still held is shown by the publication of a letter from the India Office, dated June 26th, 1920, signed by "H. J. Tozer, for Secretary, Revenue and Statistics Department," in which is expressed the opinion of the Secretary of State for India in Council; the letter says. *"Mr. Montagu takes strong exception to the statement that the measures adopted by the Government of India for controlling and regulating this traffic are 'by no means in consonance with the spirit of the Hague Opium Convention'.....the Government of India have accepted and acted on the provisions of the Convention.....the views of your Committee and of the Government of India, are as you point out, widely divergent. The Government of India do not admit that the opium used in India, or exported, is 'abused;' they do not consider it advisable to limit the export of opium from India to the amount required solely for 'medicinal purposes;' and they do not accept the suggestion that India should prohibit the export of opium in order to force, or to*

* The Indian Government, the Hague Convention, and the Opium Traffic."

"attempt to force, the countries which now receive their supplies from India to abandon their present opium policy.....the Hague Convention contemplates and provides for, the use of opium for other than purely medical purposes; it does not stigmatise the use of opium for such purposes as an 'abuse'; and it places the responsibility for regulating the import of the drug, and the derivatives, upon the importing country..... The Government of India have complied with all the provisions of the Convention; they fully accept the ultimate object of the measures for which the Convention provides.....and they have endeavoured in all cases to give effect to these provisions in the manner best calculated to secure the ultimate object of the Convention, which is the 'gradual suppression of the abuse of opium' and of allied and cognate drugs. The Dangerous Drugs Bill does not apply to India."

In addition to these there are further letters and a Memorandum from the India Office from which extracts may be quoted. The Rev. G. Muir, Secretary of the Edinburgh Anti-Opium Committee received a letter under date, India Office, Whitehall, 29th April, 1920, signed T. Kershaw, and from this we extract the following :— "the net revenue under the head "opium" includes the price at which "excise" opium is sold by the factory to the various Local Governments while the "excise" portion of the total revenue from opium represents the profit on the sale of the right of retail vend. The policy of the Government is to *obtain the maximum of revenue from the minimum of consumption*; and to this end, the price at which opium is issued to retail sellers has been steadily increased. You will not fail to appreciate the vital fact that the amount manufactured for "excise" purposes,—which corresponds closely with the amount issued each year—has remained fairly constant, while the "excise" portion of the opium revenue has risen from 155 lakhs to 211 lakhs in seven years."

The Memorandum accompanying this letter referred to Miss LaMotte's book, "The Opium Monopoly." It remarks "The policy of the Government is to increase the excise revenue to the maximum possible extent, consistent with the prevention of smuggling, illicit production and use, and the repression of consumption. This policy directly checks consumption, and enables the trade to be kept under rigid control. The maximum possible revenue with the minimum possible consumption, has been for many years the guiding principle of the Government of India as regards their excise administration. The figures for the last seven years available show that, while the consumption of opium in India has remained practically constant the "excise" revenue derived therefrom—which is not in fact whole revenue—has increased from 155 lakhs to 211 lakhs." With regard to export trade the

Memorandum says "The Government of India have for the last seven years—ever since the abolition of the China traffic—placed a voluntary limit on their sales of opium to Eastern countries. This limit is 13,200 chests a year; and it compares with *an annual export of something over 16,000 chests a year* prior to the cessation of the China trade.*"

*Note: It has been pointed out in the Anti-Opium Supplement of the Peking and Tientsin Times, Sept. 6th, 1920, that this is an 'inexactitude,' Indian 'Provision' or export opium amounted to 7, 12, 10, and 12 thousand chests opium from 1912 to 1917 by the Indian Secretary's own figures.)

CHAPTER VII.

THE SITUATION IN THE UNITED STATES.

I. PREVIOUS TO 1914.

Opium first became a separate item in the import statistics of the United States in 1840. Prior to that time, such opium as entered was admitted under the general title of "Drugs and Chemicals, etc." By the beginning of the fifth decade of the century, however, it became apparent that coincidentally with the influx of Chinese coolies there had been a large increase of the importation of opium. Accordingly, in 1840 though admitted free of duty opium was put on a separate schedule. At this time no distinction was made between crude opium, smoking opium, morphia and the other opium derivatives.

In 1842 opium was first put on the duty list, an *ad valorem* import tax of 15% being levied for revenue purposes. Thereafter, until 1880, the laws with regard to the importation of opium in its various forms and derivatives were based on the assumption that the trade was a source of revenue rather than that it was a vehicle for the supply of dangerous drugs and as such should be strictly controlled.

This latter attitude became more pronounced after the signing of the Commercial Treaty of 1880 with China, Article II of which stipulated that Chinese and American nationals should each be prohibited from importing or trading in opium in the territory of the other country. The prohibition was absolute and unqualified, and the "most favoured nation" principle was specifically debarred from application to this case.

Laws were passed by Congress in 1887 putting this Article into effect. Both the treaty prohibition and the accompanying legislation are still on the statute books, though the legislation has been supplemented by later enactments and regulations, of which more will be written below.

THE INCREASING IMPORTATION OF OPIUM DUE TO INCREASED PRODUCTION OF MORPHINE.

In spite of a growing public condemnation of the opium trade on grounds of morality and health, though it should be noted that

such agitation did not really begin until about 1880—and in spite of the fact that after the Immigration Treaty with China, of 1890, the Chinese population remained practically stationary, increase in imports of opium was distinctly greater than the increase in population. Figures compiled by the American members of the International Opium Commission which met at Shanghai in 1909 are as follows :

Decade	Increase in Population	Increase in Smoking Opium Imports	Increase in crude opium imports
1860-69	34%		12.6%
1870-79	22%	88%	74.6%
1880-89	30%	76.5%	70.5%
1890-99	26%	7.6%	56%
1900-07	21%	32%	21.7%

The report points out that because of the great amount of smuggling of opium owing to the prohibitive duty applied between 1885 and 1895 "the proportionate increase of smoking opium in 1900 should.....more properly read 76% rather than 7.6%".

The explanation of part of this more rapid growth of opium importation than of population is to be found in the steady growth in the United States of the manufacture of morphine and its salts from crude opium. Up to 1890 the greater part of a total of these drugs sufficient to meet legitimate medical requirements had been imported. By that time the American manufacturers had begun to manufacture morphine profitably. Since then morphine has been exported and practically none has been imported legally, though it seems clear that appreciable quantities have been smuggled into the country. The exports seem to have formed, on the whole, a fairly normal proportion of the steadily growing foreign trade in all manner of pharmaceutical preparations, though the laws in America and in other countries have not been effective enough to prevent abuses.

THE SHANGHAI OPIUM COMMISSION.

Development of morphine manufacture was not sufficient to account for all the excessive increase of opium importation as compared with the increase in population. Use of the drug in one form or another seemed to be spreading to the native population of the United States. This fact, together with a growing recognition in the rest of the world as well as in America of the disastrous effects of the opium habit and with an increasingly vocal international protest against the trade, led to the meeting, on America's suggestion, of an International Opium Commission of Inquiry. This body gathered at Shanghai in February, 1909. After a

month of discussions, the Commission drafted certain resolutions and published elaborate reports of the conditions in each country. The American members of this commission took up the position that only by international action looking toward an effective control of the actual growing of the opium poppy could the international trade in opium be brought within legitimate bounds.

Largely as a result of the deliberations of this Commission, the Hague Opium Convention of 1912 was drafted. This was an international agreement for the regulation of the trade in opium and its derivatives, and called for the enactment by each of the ratifying countries of legislation to put its provisions into effect. Since, however, the text of this Convention and of the resolutions of the International Opium Commission are given in the appendices of the present volume, and since the Hague Convention is discussed elsewhere, these subjects need not be further dealt with here. Reference is made to them, and the agreements reached should be kept in mind, because all the subsequent developments in the United States were vitally affected by the existence of the Hague Convention and of the international feeling with regard to the opium trade of which it and the International Opium Commissions were the products.

But to return to the situation in America. Even before 1909 certain steps had been taken to control the trade in opium and its derivatives both in the continental United States and in the possessions. A word about these before proceeding.

OPIUM LEGISLATION.

In 1890 an excise law was passed providing for careful control of the importation and manufacture of smoking opium. In 1902 American citizens were prohibited from selling opium to the aboriginal inhabitants of the islands of the Pacific. In 1907 opium and its derivatives were brought within the limits of the National Food and Drugs Act which required, among other things, that the amounts of any drugs contained in any preparation should be plainly marked on the package. About this same time various state and municipal laws were passed rigidly controlling the sale of opium and its derivatives. In 1909 a bill was passed by Congress prohibiting after April 1 the importation of opium, morphine, etc., except for legitimate medical purposes and making such importations subject to the regulations issued by the Secretary of the Treasury, since he is in charge of the customs service.

The American report to the International Opium Commission of 1909, comments on the situation after the passage of this bill:

"The only opium which can now be imported into the United States is opium for medical purposes.....Our Government can keep without its boundaries all opium that we do not legitimately need."

This was an optimistic view. Official records at Washington show that during the ten months ending with October 1919 the importation of opium into the United States amounted to 564,356 pounds. This fact is an interesting comment on the ineffectiveness of treaties and agreements of all kinds in a contest between one party, the trader or public company rich, active, and eager for gain, when the other is constituted by the multitude, dumb, ignorant, apathetic and always ready to be misled.

The exports of opium during the above-mentioned period ending October 1919 amounted to only 90,161 pounds according to official returns. The difference was probably used mainly for the manufacture of morphine but there is no record available to show what proportion was consumed in the country and how much was exported. It remains true that following the passage of the Act of 1909 most of the anti-opium effort in the United States has been devoted to the elimination of American participation, directly or indirectly in the international trade in these drugs. Incidentally, it is worth remarking that the opium poppy never has been grown in the United States in any appreciable quantity.

OPIUM IN THE PHILIPPINES.

Before discussing later developments, just a word about the Philippines. Prior to 1898, under the Spanish regime, opium was farmed out by the Government. Legally, smoking was confined to Chinese, but the law was not strictly enforced and many of the natives contracted the habit. The opium used came chiefly from Hongkong and Singapore; the poppy never has been grown in quantities in the Islands.

Between 1898 and 1905 the law for the continental United States was applied in the Philippines. In the latter year an Act of Congress gave the Philippine Government the right to take independent action in prohibiting importation and sale of the drug, and provided that after March 1, 1908 all importation except for medical purposes should be stopped.

The Philippine Government then took steps, by high licensing and the issuing of permits, to reduce gradually the amount consumed, in preparation for complete prohibition in 1908. On March 1 of that year a strict prohibitory law came into effect, and the legal importation stopped entirely except for very small quantities which have since been brought in for medical use. The long coast line, inadequate inspection facilities, etc., however, prevented

a complete shutting off of smuggled opium. Nevertheless, by a strict supervision of the use, actual and suspected, of the drug, the evil has been very largely eliminated. The prohibitory laws are still in force.

II. SINCE 1914.

Following the ratification of the Hague Convention, legislation was passed on January 17, 1914, putting into effect for the United States the provisions of that agreement. Besides prohibiting the importation of narcotics except for medicinal purposes, this Act provided that in accordance with regulations to be issued jointly by the Secretaries of State, of the Treasury and of Commerce the export of opium or its derivatives was to be limited to countries which had adequate import regulations in accordance with the Hague Convention. The Act was to come into operation upon the issuing of these regulations.

Apparently owing to the war, no regulations were issued until 1920, though the so-called Narcotic Act of December 17, 1914 and an amendment made thereto in 1918 put more rigid control on the narcotic traffic in the United States. During this intervening period, on the declaration of the exporter that the narcotics were for a party that was permitted to receive them, the American customs authorities would allow them to go out of the country. This was possible because the regulations called for in the January 17, 1914 Act had not yet been issued. Under this system, though not necessarily with any deliberate intention to violate either the spirit or the letter of the 1914 law, relatively large quantities of morphine manufactured in the United States were shipped to Japan.*

* It is to be borne in mind that no country considers itself under an obligation to protect the nationals of others against vice and consequently there is no law in the United States or any other country directly designed to protect China from the importation of morphia.

Chemical manufacturers have a right to claim that it is not for them to concern themselves in the question as to whether the cyanide they manufacture and export is used as prussic acid for poison or as a solvent for gold in the mine plants of Johannesburg. Departments and Boards of Trade are created for the furtherance of Trade and it is not for them to decide whether trade in explosives, poisons or cotton is for philanthropic or lethal purposes. Their *raison d'être* is the furtherance of trade and merchants who find hindrance within the limits of the law have, if hindered, good cause of complaint.

Great Britain, while protecting the residents of the British Isles by the Dangerous Drugs Act permits a great Crown Colony such as Hongkong to reap nearly half its revenue from the vice of opium-smoking, largely by Chinese many of whom are British subjects. The United States introducing new opium and narcotic regulations in 1920 allowed to stand Regulation 1. Para. (e) The term "export" shall not apply to shipments in transit through the U. S. under customs bond.

The new Regulations thus made no effort to limit or restrict the flow of the drug trade through its most important channel across the States, under the protection of the American flag.

THE BONDED SHIPMENTS.

Besides these shipments, large quantities were sent across the United States in custom's bond. These added to the volume of morphia and kindred drugs going from American ports to Japan. A distinction should be borne in mind, however, between these "in transit" shipments of morphia manufactured outside of the United States and the exports of American-made morphia. At present there is no law in the United States prohibiting shipments of narcotics across the country in custom's bond. Exports of morphia manufactured in the United States are controlled in accordance with the Treasury Department Regulations of 1920.

THE 1920 REGULATIONS.

The United States Treasury Department gave notice on January 10, 1920, that after thirty days the export of narcotics would be prohibited, pending the issue of the regulations asked for by the 1914 Act. This later was extended to ninety days. The regulations (for text, see the Appendix) were issued and went into effect May 1, 1920. They provided that American made narcotics could be exported only to countries having laws and regulations meeting the requirements of the Hague Convention.

Japan was included in the list of countries to which exports could be made, which was issued by the State Department March 1, 1920. The Treasury Department, however, being in doubt on this point refused to permit exportations to Japan until an opinion had been rendered by the Attorney General. On June 10, 1920, the Treasury was informed that, in the opinion of the Attorney General, the laws of Japan as quoted by the Secretary of State, were not sufficient to permit the exportation of narcotics from the United States to that country.

According to statements before the Senate Committee by representatives of the leading pharmaceutical manufacturers in America, not an ounce of American-made morphia or other narcotics has been exported from the United States to Japan or to any of the other prohibited countries since May 1, 1920.* The exports to the permitted countries have been carefully controlled and completely recorded by the Government, they said.

Nevertheless, large quantities of morphia have continued to reach Japan, in large part from American ports. The imports into Kobe above, for example, amounted to 880,000 ounces in 1920. These presumably are shipments made under bond across the United

*Indications are, however, that American made morphia is reaching China, as recent seizures of morphia and heroin⁴ made by the Chinese Maritime Customs bear the labels of American manufacturers.

States, and the American Government must bear the responsibility to the extent that it still permits such shipments.

But a means by which narcotics can get from the United States to the Orient has been brought to light by the International Anti-Opium Association. Parcels sent through the post from the United States are not examined for contraband before dispatch. The number of parcels reaching China is vast and the Chinese Customs authorities find it impossible to examine more than a small proportion of the postal parcels received. A European chemist in China, for example, secured a pass for one ounce of morphia for his business. To his astonishment he received from England one pound, sent in error and passed in error, sufficient for his requirements for at least twenty years.

This Association also has pointed out that the drug regulations do not reward customs officers for giving information leading to the capture of drugs, that smuggling or aiding and abetting of smuggling are punishable by fine only and not by imprisonment and that no penalties are imposed for incorrect marking of packages or wilful incorrect declaration as to quantities and ultimate destination.

The Association suggests that all exports be accompanied by a form providing for a full description of nature and quantity of the drug allowed to be exported together with a place for the signature of a recognised fiscal authority of the country of destination who would certify to the due importation of the shipment in question. All non-return of such forms duly signed to be considered as proof that the drug did not reach the declared destination: the exporter to become liable to a penalty to be fixed by law.

It should be made easy for the Chinese Government to secure information of all intended movements of narcotics for which the U. S. Government has issued permits to export.

Incidentally, it should be noted that on paper the export of smoking opium is absolutely and unconditionally prohibited, and opium or its derivatives can be imported only on certificates approved by the Treasury Department. The manufacture of morphia, etc. from opium in the United States is carefully regulated by the Internal Revenue laws, though there seems to be a growing amount of illicit production. But there is no attempt to limit the amount manufactured licitly to the legitimate requirements either of the United States or of the rest of the world.

SMUGGLING AND ILLEGAL MANUFACTURE HAVE INCREASED ENORMOUSLY.

The situation is by no means satisfactory, however. All the regulations with regard to the manufacture of narcotics in the

United States and of the export of American made narcotics, do not affect the shipment of such drugs across the country under customs' bond. Nor have the authorities succeeded in preventing smuggling, or illegal manufacture. Both of these seem to be on the increase, and the drug habit is spreading with alarming rapidity. This has been especially true since prohibition went into effect. It has been estimated by good authorities that there are over 4,000,000 drug addicts in the United States at the present time, and in spite of increasing public agitation on the subject the use of narcotics seems to be spreading.

At the same time there is a growing recognition of the danger, and an increasing demand that the illegitimate use of narcotics be stamped out in the United States and that all participation by Americans in the drug traffic anywhere should be entirely prohibited.

THE JONES-MILLER BILL AND THE RAINEY AMENDMENT.

In response to this demand, the so-called Jones-Miller bill, amending the January 17, 1914, Act so as to prohibit absolutely all exportation or "in transit" shipments of narcotics and to permit importations solely for medical and scientific purposes and under permit from the Surgeon General, was introduced in the Senate and the House in 1920. Hearings on the bill were held. The proponents took the position that America should take no part in this nefarious traffic and that the figures of smuggled narcotics, seizures, etc., and of the spread of the narcotic habit in the United States showed that further and more drastic action was necessary to protect the American people. The figures of exports, they also claimed, showed that the United States still was playing a large part in the traffic to the Far East. The opponents argued that under the existing laws the Government had absolute control of the imports, exports and internal manufacture of narcotics and that therefore the Jones-Miller bill was unnecessary. They claimed that since May 1, 1920, there had been no narcotic exports from America to the Far East, since it was not permitted under the regulations of that date, and that all the figures of excessive exports quoted referred to the time preceding this date.

Mrs. Hamilton Wright, in opposing the measure, argued that the Hague Convention provided a much more far-reaching instrument and said that she favoured the alternative Rainey amendment which differed from the Jones-Miller bill in permitting the export of opium or cocaine and their derivatives to "countries which have ratified and become parties to the Hague Convention" and had taken the steps necessary to put that Convention into effect, with the provision that such exports could be made "only

to an authorized exporter and upon the furnishing of adequate proof that the drug is to be used exclusively for medical purposes..... and is not to be re-exported, and that there is an actual shortage of and demand for the drug for medicinal purposes within the country to which the export is consigned." (The Rainey and the Jones-Miller bills both prohibit "in-transit" shipment).

Neither of these proposed amendments had passed out of the committee stage by July 1, 1921, though the Rainey bill had been taken up for further consideration in committee during the special session of the new Congress. Accordingly at that time the United States traffic in narcotics was controlled in accordance with the 1914 and 1918 laws, and the regulations which went into effect May 1, 1920.

The agitation for a stricter control of the manufacture of narcotics, and of the foreign and domestic trade, has grown steadily along with the introduction of this new legislation in Congress. Since the adoption of prohibition, the indications are that there has been a marked increase in the illicit consumption of morphine and cocaine, and a corresponding increase in the activities of the smugglers to supply this demand. There also has been increased activity in suppression on the part of the authorities, and the passage of more strict regulatory measures by the States and municipalities.

Those who have been most actively associated with the movement for a strict control of America's share in the international trade in narcotics—such as the late Dr. Hamilton Wright, who was one of the American members of the International Opium Commission of 1909 and who was largely instrumental in shaping the present legislation—have from the beginning taken the position that the trade in narcotics could be effectively controlled only by international action which should strictly limit the amount of poppy grown. There has been no serious denial of the value of narcotics in legitimate medical practice, or of the necessity of the production of enough of the drugs to meet this legitimate demand. But the American contention has been that as long as opium could be produced in quantities in excess of the legitimate demand, there would always be an illicit trade in narcotics. Therefore the effort has been directed chiefly toward striking at the source of the evil by adequate international control of the growth of opium and cocaine—producing plants. Pending the realization of this ideal, the attempt has been to bring America's share in the drug traffic under strict governmental control and to frame the American laws in accordance with the latest international agreement on the matter.

CHAPTER VIII.

THE OPIUM MONOPOLIES OF THE STRAITS SETTLEMENTS, THE FEDERATED MALAY STATES, HONGKONG AND MACAO.

OPIUM TRAFFIC IN THE FAR EAST.

Discussion of the opium traffic has in the past chiefly centered round India, as the chief producer, and China, as the chief consumer, of the drug, but the evil extends far beyond the bounds of those countries. Not only is there an extensive traffic in morphia, cocaine, and other narcotics more dangerous than opium, in which Europe and America are concerned, both as producers and consumers, as well as Asia, but also there is existent a very large traffic with minor race-units scattered over the Far East. For the supply of this trade the Indian Government Opium Monopoly is the chief producer, the consumers being found throughout the Straits Settlements, the Federated Malay States, the large islands to the southeast of the Asiatic continent, in Ceylon, in the French far-eastern colonies, in Hongkong and in Macao. In the Straits Settlements, the Federated Malay States, Hongkong and Macao, there are Government monopolies which we shall now consider. The Ceylon Monopoly is dealt with elsewhere as it constitutes a striking example of the attitude of the British Empire towards the traffic in opium.

VIEW OF BRITISH OFFICIALS ON THE EFFECT OF OPIUM ON THE CHINESE.

The majority of consumers in the places mentioned above have been of Chinese extraction; British Government officials and Commissioners reporting on the traffic have found in this fact considerable excuse for continuing the trade. The Report of the Commission appointed to enquire into the opium question in the Straits Settlements and the Federated Malay States, published in 1909, treats this subject on nearly every page as a Chinese question. The majority of the members of that Commission appeared to hold the opinion that the Chinese have always used opium and always will; that supplies of opium will be obtained

by them in one way or another, and that for the most part it does little harm. In the correspondence relating to the opium traffic in Ceylon, published by the British Government in 1908 Sir Henry Macallum as previously pointed out, wrote, "I think it is generally admitted by those who have had personal and extended experience of opium consumption among native races, that while the vast majority of Chinese can consume opium constantly without any very marked ill effects, and without indulging to excess, the opium habit almost invariably leads to over indulgence and to physical and moral injury if the consumer belong to one of the brown races." This is certainly the opinion largely held by Government officials in the Far East, and there can be no dispute as to its correctness as concerns the brown races. In the countries to the south of China the opium question is largely a Chinese question; it is otherwise in Ceylon, however, for the Report that contains Sir Henry Macallum's letter quoted above also states that the number of Chinese in the island was considerably *less than one hundred*. That Report supported prohibition, but the traffic in opium still continues in Ceylon, and the only conclusion that can be drawn is that financial interests and questions of revenue have after all outweighed all other considerations.

GOVERNMENTAL UNITS: THE STRAITS SETTLEMENTS AND
THE MALAY STATES.

The Straits Settlements consists of the three ports, Singapore, Malacca, and Penang, with a small portion of the surrounding country. The Federated Malay States under British protection are Perak, Selangor, Negri Sembilan, and Pahang. The independent states under British Foreign protection are Johore, Kelantan, Kedah, and Perlis. The population in the Straits Settlements in 1916 was 798,000 and in the Federated Malay States 1,037,000. Before the world war the number of Chinese and Indian immigrants was about 300,000 annually, but in 1914 owing to unemployment the authorities resorted to repatriation. In 1913 there were 240,979 Chinese immigrants. In 1918 from April to October owing to the imposition of strict quarantine against Hong Kong, the immigration fell as low as 58,421, though in 1917 it had been 155,167. In the Federated Malay States in 1916 out of a population of 1,036,999 there were 433,234 Chinese. Altogether in the Straits Settlements, the Federated, and the Independent Malay States, the population is about two millions, and the Chinese population, with considerable fluctuations, will not fall far short of eight hundred thousand of which the greater part are labourers in the mines and on the rubber plantations, though in Singa-

pore and Penang there is a considerable proportion of wealthy Chinese merchants and a goodly number of Chinese born in the colony.

Previous to 1910 the system of obtaining revenue from the sale of opium in the Straits Settlements and the Federated Malay States was that of leasing the Government taxation rights to a syndicate, invariably composed of wealthy and prominent Chinese, which was called The Opium Farm. The Opium farmers paid a fixed monthly sum to the Government and collected the duties on prepared opium (called chandu) making large profits on the sales. The lease sold to the Opium Farmers was generally for three years, and similar leases with rights to collect the revenues on alcoholic liquors and spirits were usually granted to the same syndicates. The opium farm and the spirit farm though in the same hands were run as separate concerns. The Government received reliable revenues regularly without the cost of maintaining an expensive staff, or the trouble of managing an expensive business, while the odium of pushing a traffic that flourished on the increase of vicious habits remained with the syndicates who controlled the opium and spirit farms. It is only fair to say that the Government Reports do not consider that the farmers pushed the trade unduly. In almost every case however large profits were realised.

SIAMESE STATE OF KEDAH.

SINGAPORE, PENANG AND MALACCA FARMS.

The farms at Singapore, Penang, and Malacca were leased to three different syndicates, but the Government of the Straits Settlements arranged with the authorities of the Siamese State of Kedah, adjoining Province Wellesley, part of the Penang district, that the opium monopoly of that State should be leased to the opium farmers of Penang in order to lessen smuggling.

FEDERATED MALAY STATES FARMS.

Similar opium farms were leased in the Federated Malay States, some slight differences in the collection of revenues being made between the inland and the coast districts. In these States opium revenue was derived from an import duty on raw opium, at \$560 (reckoned at the standard rate of 2s 4d to the dollar) per chest, except in Penang where it was \$440 per chest, and from licensing fees. The fees for the license to manufacture opium, and for the retail sale for consumption on or off the premises were

\$60 per annum, for sale only on the premises, \$48, and for sale off the premises, \$24. The licensing fees formed only a small part of the revenues.

In 1909 the Commission appointed to enquire into matters relating to opium in the Straits Settlements and the Federated Malay States issued their Report,* and published their opinion that "the vast majority of smokers could not be said to indulge to an extent beyond what may properly be called moderation", but against this conclusion one of the Commissioners, Bishop Oldham, protested, and his memorandum printed in the Report says, "Much evidence shows that the course of the opium user is from 'playing with the pipe occasionally, to the steady use, in which the tendency is to an increase of the daily dose. There is, from this time, pressure upon the individual's money and time to minister to the appetite already fixed. At stated times every day the drug must be used, or the person will be utterly unfit for work. Whether the dose be large or small unfitness for the daily task is the penalty of omitting it. This, with the fact that, circumstances permitting, the dose tends to increase until it reaches large proportions, leads one to conclude that 'moderation' in opium smoking does not exist." Bishop Oldham's contention is in harmony with the opinion generally held concerning opium. The Commissioners were not of opinion that the habit was increasing, but they were not wholly satisfied with the existing conditions and recommended a stricter Government control over the traffic, the abolition of the opium farms, and the substitution of a Government monopoly. Apparently one reason was that prohibition would not only lessen revenues, but would lead to a great increase in smuggling and this in turn could only be dealt with by a greatly increased staff, which would add considerably to the Government expenditure.

These suggestions were acted upon by the British Government. From 1910 the Opium Farms were abolished, a Government monopoly was substituted, and the number of licenses granted for the sale of opium in smoking rooms was reduced, the present number in the Straits Settlements being only 209 as against 503 on December 31st, 1909. The amount of prepared opium sold in the Straits Settlements from the year 1910 to 1918 according to Government Reports was as follows:—

* Straits Settlements. Proceedings of the Commission appointed to enquire into matters relating to the use of Opium in the Straits Settlements and the Federated Malay States. Vol. I. Reports and Annexures.

SALES OF OPIUM IN STRAITS SETTLEMENTS.

1910	1,651,657.86 tahils.*	= 2,208,210	ounces.
1911	1,769,506	„ = 2,359,341	„
1912	1,691,717.03	„ = 2,255,622	„
1913	1,493,254.47	„ = 1,991,005	„
1914	1,402,058.46	„ = 1,869,409	„
1915	1,451,932	„ = 1,935,909	„
1916	1,452,015	„ = 1,936,020	„
1917	1,296,289	„ = 1,728,385	„
1918	1,570,860	„ = 2,094,180	„

The decrease from 1910 to 1917 is in round figures from about 61 tons to 45.6 tons, but in 1918 the amount rose to about 58 tons. In estimating the value of these figures as an indication of any real decline in the amount of opium sold and consumed by the Chinese population of the Straits Settlements several factors have to be considered, among them being the repatriation of Chinese during the war years, the shortage of labour leading to a rise in wages of the Chinese labourers in the Settlements enabling them to purchase opium more freely, and the fact that the rates of silver exchange made it more profitable for the Chinese to purchase opium which was done up in small parcels and sent to China in lieu of silver. These various considerations show that too much reliance must not be placed on the figures as indicative of a decline in the traffic.

SALES OF OPIUM IN FEDERATED MALAY STATES.

In the Federated Malay States there does not appear to have been any reduction in the amount of opium sold. The figures given in Government Reports for the years 1915-1918 are:—

1915	tahils.	1,771,617	= ounces.	2,362,156
1916	„	1,799,942	= „	2,399,922.66
1917	„	1,509,864	= „	2,013,152
1918	„	1,783,355	= „	2,377,810

In these States it has not been found that an increase in the price of opium leads to any reduction in the amount consumed, but the opium sales seem to bear some relation to the tin sales. When tin fetches a high price and sales are good then the Chinese labourers receive good wages and indulge more freely in opium.

The average consumption of opium per head per annum had been given as 73.4 chees (9.78 ozs.) in 1911, with a steady reduction annually until in 1917 it stood at 47.9 chees (6.35 ozs.), but this is really of little value except as showing a certain reduction per head. It is not permitted to sell opium to any but adult Chinese males, but the average of opium purchased is reckoned on the basis

of male Chinese over 15 years of age. In the days when China was glutted with opium similar reckonings would be made, and the average per head on the total population of China did not appear a very large amount, but that did not alter the fact that hundreds of thousands, probably some millions of the Chinese were degraded victims of the opium habit.

The percentage of the revenue in the Straits Settlements derived from opium has been in the past generally between 43 and 55 per cent of the total revenue, in 1904 rising to a little over 59 per cent. In the official Blue Book for 1917, "Colony of the Straits Settlements" out of a total revenue of \$19,672,104, the opium revenues amounted to \$9,182,000 or 46.6 per cent.

The Report of the Singapore Commission above referred to cannot be said to err because of any "sentimental" views, the usual charge brought against any arguments advanced by those who oppose the traffic; it must be regarded rather as an argument for the defence, since the Commission was composed of residents in the Colony, and the substantial revenues gained out of the traffic lighten considerably the financial burdens of the state. Also in that report while the names of witnesses are examined the testimony they gave is not reported, and it has to be taken for granted that it could not bear another interpretation than that given to it by the Commissioners. It is hard not to believe that if the Commission had been formed of persons absolutely independent of the State a very different conclusion might have been arrived at, but if it were not so the simple fact that so large a revenue is gained from the traffic in opium cannot but be considered highly unsatisfactory.

HONGKONG OPIUM MONOPOLY.

Hongkong has for nearly eighty years taken a leading part in the opium trade with China. Owing to the success of their arms in 1842 the island was ceded to the British Government, and the ratification of the peace treaty took place in June 1843 when possession of the island passed from the Chinese. At that time the Chinese Government agreed to pay \$6,000,000 as compensation for the opium "delivered up at Canton in the month of March, 1839, as a ransom for the lives of Her Britannic Majesty's Superintendent and subjects who had been imprisoned and threatened with death by the Chinese high officers." By this same treaty Canton, Amoy, Foochow, Ningpo and Shanghai were thrown open to British trade. With Hongkong a British port, and five ports open to British trade, with the right of residence granted to foreign merchants the way was open for the development of the opium

traffic, although the Chinese Emperor did not legalise the traffic until 1858. Owing to frequent complaints made by the Governor of Hongkong concerning the interference of the Canton Customs Revenue Cruisers with the junk trade, arrangements were made by which the Chinese Customs could obtain the revenues due, without prejudice to the Colony. In 1885 a further Opium Convention was held in which Judge Russell of Hongkong, Sir Robert Hart, representing the Chinese Imperial Maritime Customs, Mr. Bryan Brennan, British Consul General for Tientsin, and Shao Taotai, Joint Commissioner for China with Sir Robert Hart, took part, and further stipulations placing the control of the opium traffic at Hongkong in the hands of the Opium Farmer and the Harbour Master were agreed upon. Certain conditions on which it was agreed that the necessary Ordinance should be presented by Judge Russell to the Government of Hongkong were accepted by the Chinese Government. Among these were the following:—

“That China arrange with Macao for the adoption of equivalent measures.

That an Office under the Foreign Inspectorate shall be established on Chinese Territory at a convenient spot on the Kowloon side for sale of Chinese Opium Duty certificates, which shall be freely sold to all comers, and for such quantities of opium as they may require.

That Opium accompanied by such certificates, at the rate of not more than Tls. 110 per picul shall be free from all further imposts of every sort, and have all the benefits stipulated for by the Additional Article on behalf of Opium on which duty has been paid for at one of the ports of China, and that it may be made up in sealed parcels at the option of the purchaser.

That junks trading between Chinese ports and Hongkong and their cargoes shall not be subject to any dues or duties in excess of those leviable on junks and their cargoes trading between Chinese ports and Macao, and that no duties whatsoever shall be demanded from junks coming to Hongkong from ports in China, or proceeding from Hongkong to ports in China, over and above the dues paid or payable at the ports of clearance or destination.

That the Officer of the Foreign Inspectorate, who will be responsible for the management of the Kowloon Office, shall investigate and settle any complaints made by the junks trading with Hongkong against the Native Customs Revenue Stations or Cruisers in the neighbourhood, and that the Governor of Hongkong, if he deems it advisable, shall be entitled to send a Hongkong Officer to be present at and assist in the investigation and decision. If, however, they do not agree, a reference may be made to the Authorities at Peking for joint decision.”

Under these agreements the Hongkong opium trade was made secure. The Chinese Government could obtain its Customs dues, but could in no way prevent the influx of opium into China. The open door for the trade at Kowloon on the mainland preserved the interests of importation into the wealthy province of Kwangtung, while the opium monopoly at Macao was placed upon a safe footing and could draw the necessary opium supplies from Hongkong.

PROGRESS OF HONGKONG OPIUM TRADE.

The advance and prosperity of the trade can be best shown by the presentation of a few figures. During the six years, 1903-1908 the imports of Indian opium amounted to 292,547 chests, (at 160 lbs. per chest or a total of 46, 807,520 lbs) worth £20,586,260, together with 20,329 chests of Persian Opium and 977 chests of Turkish Opium. For the same period the value of Indian opium imported into the treaty ports of China was £9,195,355. By this it will be seen how great a portion of the opium imported into China passed through Hongkong. During the next few years the amounts of opium imported into Hongkong lessened, but the amounts imported at the China treaty ports increased.*

In 1909 the Shanghai Opium Convention was held and subsequently certain alterations were effected. Twenty-six opium divans were closed on March 1, 1909, and the remaining divans were closed finally on March 1, 1910. In 1910 two further Ordinances were passed with a view to making the provisions of the Ordinance of 1909 more effective, while the Pharmacy Amendment Ordinance, 1910, increased the powers of the Government in controlling poisons, including morphine and cocaine.†

In 1908 the British Government agreed to reduce the amount of opium imported into China, provided that the Chinese Government reduced the production and consumption of opium in China, and in 1911 the British Government recognising the success of the Chinese Government in carrying out their undertaking agreed to continue the arrangement for another seven years. By this means the importation of Indian opium to China became ultimately illegal, and the importation of Indian Opium into Hongkong proportionately declined. The amounts of Indian opium imported during the years 1911-14 were

1911	25,658 cases
1912	10,808 „
1913	6,706 „
1914	2,716 „

* La Motte. The Opium Monopoly.

† China Year Book.

The loss of revenue was keenly felt, and in 1910 the British Government made the Colony a grant of £9,000 to compensate for the loss of revenue to the amount of \$225,860.

The system adopted in Hongkong, as in the Straits Settlements and the Federated Malay States, for the sale of opium was that of leasing the monopoly to a syndicate of Chinese merchants, known as the Opium Farm. With the changed conditions this system was not at once abolished, and the lease was granted for three years from March 1, 1910 to four Chinese capitalists, at an annual rental of \$1,183,200, but this involved a loss to the revenue of \$225,860 during 1910 and of \$270,660 during each of the years 1911 and 1912.

The Hague Opium Convention, was signed 23rd January, 1912, and the Opium Farm was abolished in 1914 when the Government monopoly was established in its stead. The system of opium farming, while it checked some evils, was for many reasons objectionable. The farming syndicate paid heavily for the privilege of the monopoly in the opium trade and not only necessarily looked for the reimbursement of the capital invested but also desired substantial profits, and such could only be obtained by pushing sales and encouraging the consumption of opium. It was therefore a distinct step in advance when the Government took the trade into its own hands, and thereby greatly increased the efficiency of its control in all directions. One of the first results was to reduce the maximum supply for consumption in the Colony. In 1912 the quantity allowed for the use of the farmers was reduced from 900 chests to 660, and in 1914 was further reduced to 540 chests. The Report of the Superintendent of Imports and Exports for the year 1919 furnishes the following figures. On January 1, 1919 the stock in hand consisted 29 cases of certificated opium and 224 cases of uncertificated opium. During the year there were imported.

Turkish opium	50 cases
Persian ,, 	371 ,,
Benares ,, 	869 ,,
	<hr/>
	1,290 ,,
	<hr/>

HONGKONG OPIUM EXPORTS.

Of the exports, 371 cases of Persian opium went to Keelung, Formosa, 374 cases of Benares opium to Macao, and 87 cases to different places. The amount "boiled by Government monopoly" was 377 cases, all but one being Benares opium. Out of this the Gov-

ernment obtained a revenue of \$16,524,974.90 or 41.3 per cent of its total revenue, but this was a decrease from 1918 when the revenue was \$18,665,248.41 or 46.4 per cent of the total revenue.

The opium contract with the Indian Government was renewed for five years early in the present year (1921) and on March 9th the Secretary of State for India, in reply to a question, announced in the House of Commons that the Indian Government would supply Hongkong with ten chests a month, but the Hongkong Government was under no compulsion to purchase a minimum quantity.

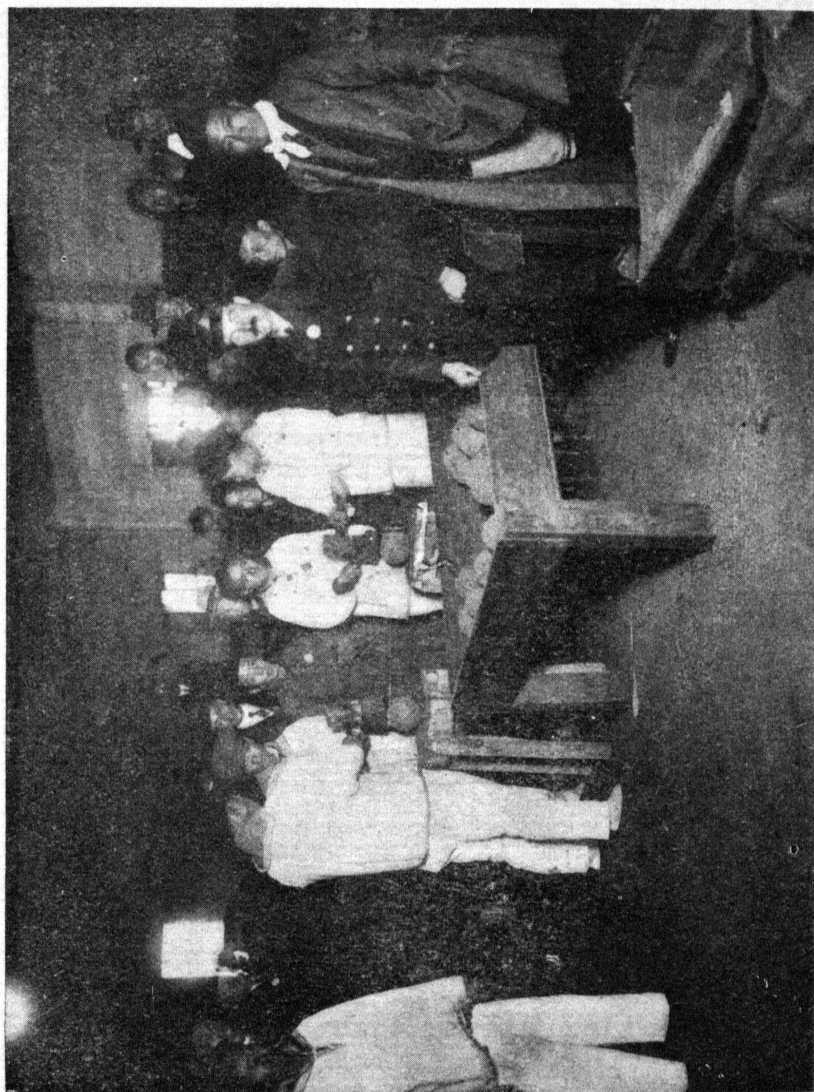
In connection with the opium traffic in Hongkong some mention must be made of the opium smuggled into and out of the Colony. In 1918 the values of illicit opium seized were,

Raw opium	20,824.50	taels
Prepared opium	28,262.08	„
Opium dross	1,000.80	„
Dross opium	2.11	„
	<hr/>	
	50,089.49	„

The amounts of opium smuggled out of Hongkong are very small, and any illicit trade in this direction seems quite insignificant because opium costs \$10 per ounce in Hongkong and about \$2 per ounce in China. How much is being smuggled in?

The geographical configuration of the island and its close proximity to the Chinese coast, the number of vessels of all descriptions, steamers, sailing vessels, junks, and sampans, that pass through its waters, or enter the harbour, the multitude of passengers, who find it easy to conceal opium on their persons, or in their baggage, the high profits to be made, making it worth while to run risks, and even sustain heavy losses, all go to increase smuggling activities and enterprises, and make the work of suppression not only extremely costly, but even with a large staff of police and Custom officials almost impossible. It is possible for the principals in the smuggling trade to purchase large quantities of opium, and by dividing it up into small parcels to smuggle it where they will, and to deal effectively with the contraband trade it must be stopped in its early stages. There is in fact only one remedy, the one that alone can meet the evils of the narcotic trade everywhere, and that is the limitation of production to the ascertained medical requirements.

It may be hoped that so far as Hongkong is concerned the Colony will soon be clear from any participation in this traffic, and that the adjoining British colonies in the Far East will soon be freed, for it is most desirable that these colonies should not be de-



Opium balls, also part of \$37,000,000 worth destroyed by order of President Hsu.

pendent for a substantial part of their revenues on the sale of narcotics and alcoholic liquors.

In reply to a letter addressed by the Secretary of the International Anti-Opium Association, Peking, to the Governor of Hongkong, the following letter was received from Mr. Claud Severn, the Colonial Secretary.

Hongkong, 9th March, 1921.

Sir,

I am directed to acknowledge the receipt of your letter of the 20th of December, addressed to His Excellency, the Governor, in which you ask for certain information regarding the importation of opium into the Colony of Hongkong, and to express regret that this reply has been delayed.

In answering your several questions I shall assume that by "import" is intended "import for use in the Colony."

1. The importation of raw opium has decreased from 620 chests in 1914 (when the monopoly was established) to 180 chests in 1920 and 120 chests for the current year.

2. There is no importation of Turkish or Persian Opium. I enclose a copy of the Annual Report of the Superintendent of Imports and Exports for 1919, on pages 11 to 14 of which will be found an explanation of the figures you quote.

3. The reduction of the revenue from opium is the result not of a policy directed towards extinguishing consumption in a set term of years, but of the policy of regulation of consumption pursued by this Government. The selling price of Government Monopoly opium has been kept at a height which would preclude its use in in any large quantities by the consumer of ordinary means.

4. The answer to the last question makes it clear that there is no "unfair" profit made by Chinese officials in the sense in which you use the word, as this Government has given no guarantee to reduce automatically its sale of opium. It may, however, be of interest to your association to know that of the illicit prepared opium seized in the Colony during 1920, no less than 92.1% consisted of opium which had been grown and boiled in China.

With regard to the last paragraph of your letter, I have to inform you that the provision permitting a traveller to take a small supply of opium for consumption on board ship is still in force. I cannot agree that its recission is necessary, or that this would have the smallest effect in actual practice. The Dangerous Drugs Act applies of course only to the United Kingdom.

I am, etc.,

(Signed) CLAUD SEVERN,
Colonial Secretary.

The International Anti-Opium Association appreciated the courtesy of Mr. Severn's letter, and still more the very important fact of the substantial reduction in the number of chests imported for use in the Colony, but it must be noted that a large number of chests are imported for re-exportation. It has been shown above that in 1919 the exports to Formosa were 371 cases of Persian Opium and to Macao 374 cases of Benares Opium, and 87 cases to other places. Macao depends on the Opium sent from Hongkong to carry on its trade, but why does the Hongkong Government re-export large amounts of opium to Formosa? It is another question what is done with opium there, as it is prohibited by the Japanese Government, and one can only conclude that it is used for the manufacture of morphia with China as an ultimate destination. However that may be, it is a transaction that requires explanation. And why is Persian opium and not Indian opium thus re-exported? It seems impossible to fathom the reasons that control the Government's action in this matter. Mr. Severn states with admirable frankness the principles of the policy of the Government of the Colony, and these are similar to the principles of the Indian Government. They aim not at suppression, but at regulation hence the importation of 120 chests which, while it is a great reduction, is still in excess of legitimate needs. Hence also the high rate for the prices of opium, which still affords the Government some revenue, since the extremely wealthy Chinese in Hongkong who wish to smoke will pay the price for Indian opium however high it may be; and hence too the supplies allowed to travellers. What we would point out is that this policy is really inconsistent with the principles of the Hague Opium Convention, which demands that the import, export or internal trade in narcotics shall be with only duly authorized persons, and surely with the end in view of suppressing the sale to addicts. While the greatly improved conditions are gratifying it cannot but be deemed desirable that the Government of the Colony should adopt the principles now advocated and that no revenues should be obtained by assisting the indulgence in vice.

OPIUM TRADE OF MACAO.

THE TRAFFIC IN THE XIXTH CENTURY.

During the eighteenth century Macao was the chief port for the importation of foreign goods into China, and the Portuguese first introduced opium from Goa on the Western coast of India. The trade of Macao steadily declined after the British obtained possession of Hongkong, but the traffic in opium, originally in-

significant, increased throughout the nineteenth century. There were the usual difficulties connected with Customs duties and the smuggling trade, but these were dealt with in 1887 when the Chinese and Portuguese diplomats agreed on the establishment of a Convention putting the trade in opium under the customary regulations, and by the appointment of a Commissioner of the Chinese Maritime Customs at Macao. The junk traffic, which profited by the transport of opium was also dealt with. This was not with any view of suppression, but only for the sake of the revenues by which China and Portugal both profited.

MACAO AND HONGKONG.

Macao obtains opium for local consumption and for re-exportation from Hongkong. Writing under date, India Office, Whitehall, London, April 30th, 1920, Mr. T. Kershaw, directed by the Secretary of State for India, gives the following figures for the re-exports of opium from Hongkong to Macao.

Year	Chests
1914	616
1915	500
1916	500
1917	450
1918	300
1919	469
	<hr/>
	2,835
	<hr/>

The average for six years is 473 chests, about 66,000 lbs. Concerning this Mr. Kershaw made the following explanation.

"The export of opium from India, to Macao *via* Hongkong is regulated by the agreement of the 14th June, 1913, between the United Kingdom and Portugal. That agreement (OD 7052) was entered into "in pursuance of the conclusions of the International Opium Convention." Under Art. 2 thereof the Macao Opium farmer is not permitted to import more than 260 chests a year for local consumption; under Art. 4, the limit for opium destined for export to countries permitting import is fixed at 240 chests per annum. Art. 5 provides for an increase in the number of chests for re-export, provided proof is given that the trade is lawful. Against this normal maximum of 500 chests a year, the statistics show an average export from India over the six years, of 473 chests per annum."

When it is remembered that the population of Macao is 78,000, and that 260 chests contains about 36,400 lbs, it will be

seen that not only is the amount allowed for local consumption to the Macaoese ridiculously beyond any medical requirement, but far in excess of what the habitués in the island could use. But what becomes of the excess if it is not smuggled into China by the gang that controls the illicit traffic? The 240 chests for re-export are presumably for the benefit of the South American Republics, but it is doubtful whether any large amount ever reaches that continent from Macao.

The Anti-Opium Supplement of the Peking and Tientsin Times for September 6th, 1920 says, "It is notorious that on one occasion certain chests of opium re-exported by the Macao farmer from Macao for Mexico fell into the hands of the Chinese Customs and were found to contain molasses instead of opium which had without doubt been smuggled by the farmer into China. This is a part of abundant proof that the re-export of opium from Macao is lawful only in the sense that there is no international law to prohibit it."

Again on the 17th May, 1919, the steamship "Amherst" cleared from Hongkong for Java. On the 4th June the Macao Government supplied the customary export return showing that 153,600 taels of prepared opium had been shipped in this vessel for Chile on the 17th May. Three days later the "Amherst" was compelled to put back to Hongkong for repairs to the engine, and a careful examination then showed that there was no opium on board. The amount equal to 9,600 lbs. that should have been sent to Java had found some other destination, most certainly the nearest ports in China into which attendant junks could enter.

THE MACAO OPIUM FARM.

Although Hongkong, the Straits Settlements, and the Federated Malay States abandoned the opium farm system in 1910, the Portuguese Government has not followed the example set by the British Government. The Shanghai Gazette, May 24, 1920 reports, "Macao, May 21. The bidding was very keen to-day for the opium monopoly for the three years commencing August 1st, the first offer being \$2,500,000 annually. Spirited competition brought the price up to \$3,950,000 and the farm was adjudicated to the Lee Sing Company, Hongkong." Thus Macao, with the help of Hongkong, keeps the trade going, and the assistance of Hongkong presents a very regrettable alliance to the injury of China, of which neither Britons nor Portuguese can be proud.

It is not surprising that the China Year Book for the present year says, of Macao, "The main revenue of the Colony is derived from the opium monopoly and gaming establishments."

CHAPTER IX.

LEGAL ASPECTS OF THE TRADE IN NARCOTICS.

Since the evils arising from the sale of addictive drugs can be removed only by restraining the traffic in narcotics, and since the necessary restraints can be effected only by legal processes, national and international, a clear and adequate comprehension of the legal aspects of the question is indispensable. Much has been done and much remains to be done. It is proposed to show how far legal control of the trade has been imposed hitherto in order to secure a measure of restraint and to examine the lines along which complete legal control of all traffic in narcotics may be reached.

The legal machinery hitherto created may be divided into the national and the international. In all civilized countries it has now been accepted that the sale of such 'dangerous drugs' as narcotics must, in common with other poisons, be carefully controlled. All poisons are dangerous in that they may be administered to others for sinister purposes, that they may be taken accidentally or that they may be taken with a view to suicide. With regard to narcotic poisons, there is, however, a clearly defined distinction. Their addictive qualities lead to demoralizing results, injurious to many individuals, to families, and to the welfare of the general public. Each nation individually recognizes that as regards its own nationals these circumstances call for special legislation. There is, however, a strong tendency to consider that the welfare of the individuals of other nations is no concern of any government; with the result that the manufacture of drugs is allowed to flourish. These narcotics, produced in but few countries, are exported to others. Consequently the question becomes an international one. Only by international agreements therefore, can the trade be restricted so as to avoid harmful results.

It is unnecessary to examine critically those sections of the legal codes of all nations dealing with poisons. They run along the same lines and are generally effective for the protection of the public. Necessarily, it must be remembered that thorough administration of the law is quite as indispensable as the existence of the law itself. As typical of these national laws we will deal with the British laws controlling the sale of poisons.

THE BRITISH ARSENIC ACT OF 1851. THE PHARMACY ACT OF 1868.
POISONS AND PHARMACY ACT OF 1908.

The first Act dealing with the sale of poisons did not affect narcotic drugs at all. In Great Britain the first Statutory Restrictions were contained in the Arsenic Act of 1851, and it was not until the Pharmacy Act of 1868 was passed that the sale of opium in its various forms was legally controlled. Since then there have been Orders in Council, and the Poisons and Pharmacy Act of 1908. By these, the list of drugs controlled has been considerably lengthened. All forms of narcotics, all preparations of opium, morphine and cocaine, as well as of Indian hemp (*Cannabis Indica*) are included in these lists and can be legally sold only by observance of the regulations imposed, severe penalties being inflicted for any violation of the law.

In these Acts the first and most important regulation limits the right to sell these drugs to those properly qualified by law to sell them, that is to chemists and druggists, manufacturing or retail, and to medical practitioners. These individuals are qualified by law after they have passed their examinations and are consequently men of education and intelligence occupying honourable positions in society. With rare exceptions they are upright citizens, observing the legal regulations so that as far as possible the trade is safely guarded in their hands, and narcotics are dispensed only for legitimate purposes. Careful book-entries of the drugs sold are required, with the obvious purpose of fixing the responsibility on purchasers or vendors in the event of any illegality so as to hold them amenable to law. Finally, regulations are imposed concerning labels, the shape of the bottles containing preparations for outward use, and the designation "Poison" for the prevention of accidents. It will be observed that none of these regulations were made with any direct intention of preventing the habitual use of opium or other narcotics on the part of addicts, but incidentally they do serve that purpose to some extent.

NARCOTIC DRUGS ORDER.

Outbreak of the Great War led to an Order from the Army Council known as "Drugs for the Troops" and also to the Narcotic Drugs Order made on May 11, 1916, under Regulation 40 of the Defence of the Realm Act. With the large number of sufferers, and the terrible inflictions caused by wounds during the war, the use of narcotics increased enormously, while mental sufferings and nervous prostration must also have increased the demand for these soothing drugs. Special legislation became imperative. Not only were opium, morphine, cocaine, and similar drugs placed in the schedule of the drugs whose supply was controlled by these regula-

tions, but later acetanilide and phenacetin were added to the list. These regulations were of the usual character forbidding the drugs to be supplied except by properly qualified persons and required careful entries in books set apart for the purpose. They were however, found insufficient, and further regulations under the Defence of the Realm Act were made especially controlling sales of opium and cocaine.*

The above may be taken as illustrative of the lines on which the sale of narcotics is regulated and controlled in civilised countries, but this represents only the care which the Governments of these countries exercise over the interests and well-being of their own citizens. While protecting its citizens, any Government, by permitting the manufacture of narcotics and their exportation to other countries may be inflicting an immense harm on those countries, and indeed it is notorious that such harm has been and is still being done on a vast scale. Recognition of this led to the convoking of the International Opium Convention at the Hague.

INTERNATIONAL OPIUM CONVENTION.

Of this important Convention, three Conferences were held, : the first in the Winter of 1911-12; the second in 1913, and the third in June, 1914, only a few weeks before the commencement of the great war, which suspended all international legislation for five years.

Twelve Powers participated in drafting the Convention which they signed at the close of the *first* Conference, inviting thirty-four other Powers to attach their signatures. At the close of the *second* Conference thirty four Powers had signed the Convention, and at the close of the *third* Conference forty four out of forty six Powers had done so.' The two Powers that did not sign were Turkey and Serbia.

Though the Convention had been signed by the representatives of these Powers, their signatures had not in several instances been ratified, and remained unratified by November, 1918 when the armistice was signed, putting an end to the world conflict. It was of signal importance in the attempt to re-establish right relations between the countries that had been at war, and to reconstruct society on sound lines that this question should not be overlooked. The International Anti-Opium Association, Peking, wired to Gt. Britain and France drawing attention to this and urging that their representatives at the Peace Conference should include the ratification of the Hague Convention in the Peace

* See Appendix. British Laws controlling the Sales of Narcotics.

Treaties. The following telegram was sent in March 1919, to Sir W. J. Collins, for transmission to Lloyd George: "The International Anti-Opium Association Headquarters, Peking, at great mass meeting, has resolved to telegraph to the British Premier urging the necessity for the League of Nations to restrict the cultivation of opium throughout the world to actual medical requirements. This Resolution was endorsed by kindred bodies who united in considering the opium traffic as being the greatest evil wherewith any country had to grapple, surpassing that of slavery. The Chinese Government is honestly and diligently endeavouring to eradicate the traffic but Chinese individual efforts are insufficient. Sir F. Aglen (Inspector General of Customs) states it is impossible to suppress smuggling while exports are allowed from India and from Persia and other countries. Exports from India to Japan under Japanese Government permits far exceed all possible requirements for the Japanese. We possess evidence that enormous quantities (of morphia) are systematically smuggled through Japan to China. The only sure remedy is world wide suppression of production thereby benefiting all countries addicted to the drug." Sir William Collins, one of the British plenipotentiaries at the Hague Opium Conferences was keenly watching the course of events. On October 24th, 1918 he put a question in the House of Commons as to the position and ratification of the Convention and the special protocol of 1914, and Lord Robert Cecil replied:

"His Majesty's Government are still considering the question of putting into force some or all of the articles of the International Opium Convention without waiting for its ratification by all the signatory Powers." On December 24th, 1918, Sir William Collins wrote to the "Times" calling attention to the existing abuses of cocaine, opium, and morphia, urging the need for the restrictions which the enforcement of the Convention would impose and requesting action by British representatives at the Peace Conference. Again on March 10th, 1919, at his request, Sir James Agg-Gardner put a question in the House of Commons to Mr. Cecil Harmsworth, Under Secretary of State for Foreign Affairs, and received the reply that "His Majesty's Government hope to be able to bring the question of international co-operation in the control of drugs before the Peace Conference, with a view to the adoption of a resolution binding the Powers represented at the Conference to the speedy enactment and enforcement of the laws, regulations, and measures contemplated by the Opium Convention of 1912 for the purpose of confining to medical and legitimate purposes the manufacture, sale and use of opium, morphine, cocaine, and similar noxious and habit-forming drugs, such a resolution to be made binding on the enemy Powers."

It should be noticed in passing that in the above declaration the need of legislation to prevent habitual and vicious indulgence in the use of addictive drugs is recognised by the Foreign Office and also that the manufacture as well as the sale of narcotics should be controlled by international legislation.

Lord Robert Cecil at the public session of the Conference on February 14th urged the need for effective international co-operation on this question, and the enforced ratification of the Hague Convention was included in the Treaty of Peace, while the "general supervision over the execution of agreements with regard to the traffic in opium and other dangerous drugs" was entrusted to the League of Nations.

The International Opium Convention was signed at the Hague, 23 January, 1912, and to the articles then signed there was added subsequently a Protocol dealing with the transmission of narcotics through the post.*

The articles of the Convention are contained in six chapters and a protocol. Chapters I and II deal with Raw and Prepared Opium; Chapter III with Medicinal Opium, Morphia, Cocaine, etc.; Chapter IV contains articles dealing particularly with China; Chapter V has two articles concerning the making of laws in countries where they do not exist, and arranging for communications between the Powers for the exchange of information. Chapter VI contains the final Provisions and deals chiefly with the invitation to Powers other than those represented at the Conference to sign the Convention, the date of enforcement of the Convention, the making of new laws to carry out the decisions of the Convention, and arrangements for denunciation of the Covenant by any Power desiring to do so.

OBJECTS OF THE INTERNATIONAL OPIUM CONVENTION.

The objects sought by the Convention are clearly stated in chapters I to III; they are,

- (1) to enact effective laws for the control of the production and distribution of raw opium where such do not exist,
- (2) to take measures for the gradual and effective suppression of, internal trade in, and use of prepared opium,
- (3) to enact laws or regulations to confine to medical and legitimate purposes the manufacture, sale, and use of morphine, cocaine and their respective salts, and for the Powers to co-operate with one another to prevent the use of these drugs for any other purpose,

* See Appendix : International Opium Convention.

- (4) to prohibit exportation of these drugs to any country forbidding, or which may in the future forbid, their importation,
- (5) to limit the manufacture of such drugs as morphia and cocaine to the firms already licensed to manufacture them, and to prohibit sales to any but those authorised to purchase the drugs by the Governments of their respective countries.

These were, in the main, the objects aimed at by the Conference. They could be carried out only by loyal observance of the articles agreed to by the contracting parties and by acceptance of the Convention by the Powers not represented. The Conference itself could not enact anything, but by the articles in Chapters V and VI it did arrange for international communication which would assist in the enactment of efficient and suitable laws in all countries.

Not all nations however can claim to have completed their obligations. Art. 10 of the Convention stipulates that "the contracting Parties shall use their best endeavours to adopt or cause to be adopted, the following measures, unless regulations on the subject are already in existence:—

"To require that all persons engaged in the manufacture, import, sale, distribution or export of morphia, cocaine and their respective salts shall be furnished with a licence or permit to engage in these operations". Art. 16 stipulates that "The Chinese Government shall promulgate pharmacy laws for their subjects, regulating the sale and distribution of morphia, cocaine and their respective salts The contracting Powers having treaties with China shall examine these laws and, if they find them acceptable, shall take the necessary measures to apply them to their nationals residing in China."

The British Government has carried out the intention of these stipulations by introducing special Legislation in the form of King's Regulations* prohibiting and rendering punishable the traffic in drugs by its nationals resident in China. Other signatories of the convention have taken no such steps and if prohibitive measures do exist there has been extreme laxity in their enforcement. The Anti-Opium Association has published the names of numerous Japanese firms dealing openly in drugs in China, and the Japanese authorities have not taken such measures against these firms as to cause them to cease their nefarious operations. Similarly, the participation of Italians in the drug trade in Shanghai has become a matter of public notoriety but it has proved impossible to secure punishment of the offenders.

* See Appendix.

It must be remembered that foreigners in China, while enjoying exemption from punishment under Chinese law are not subject to the pains and penalties of the anti-narcotic laws of their own countries because such laws do not prohibit trade in narcotics in China. It is incumbent upon the League of Nations to secure that every nation enjoying extraterritorial rights in China shall strictly prohibit and sternly punish all trade in and possession of drugs by its nationals exactly as if they were resident in their own countries, irrespective of the nationality of the person with whom trade is carried on.

WANT OF CONFORMITY IN INTERPRETATION AND ADMINISTRATIVE
ACTION UNDER THE CONVENTION.

It is important to grasp what were the definite intentions of the Conference, for it has subsequently transpired that the Indian Government and the Governments of the Federated Malay States claim to have carried out the aims of the Convention: a claim which is not admitted by anti-narcotic reformers.

The Conference sought control of the production of "raw opium," recognising the value of opium and its derivatives only for medicinal uses, but it required the effective suppression of "prepared opium" because under that name opium is sold for the use of addicts. The other drugs, morphine, cocaine, heroin, as well as "medicinal opium," it desires should be so controlled that they cannot be used for any other than medicinal purposes. All sales of such drugs are to be through properly authorised persons, and due entries are to be made in books kept for the purpose. It is clear from this that the Conference had in view the suppression of the addictive use of opium. It did not contemplate that the population of India should be able to obtain supplies freely as a "household medicine" purchased at will without the obligation of presenting any medical prescription, nor that Chinese coolies labouring in the Malay Peninsula or the islands of the Far East should be able to obtain their daily portion of the drug.

The case of China demanded special treatment, and this was arranged for in Chapter IV. The difficult question of smuggling was to be met by the contracting parties taking the necessary steps to prevent the smuggling of all the narcotics mentioned into "Chinese territory, their Far Eastern colonies, and the leased territories which they occupy in China." China was to take similar measures for the suppression of smuggling of these drugs into "foreign colonies and leased territories." China and the contracting foreign Powers were alike to take measures to restrict and control the habit of opium smoking, to suppress opium dens, and to prohibit the use of opium in brothels in the leased territories, foreign settlements, and

concessions. The contracting Powers were to adopt effective measures to prevent the importation of these articles through their post-offices in China.

It would be untrue to say that nothing has been done by the foreign powers or by China along the lines of the convention. True it is, however, that much remains to be done, for during the past five years smuggling has continued unchecked, and the sale and use of opium in many of the leased territories and concessions are openly and extensively practised. Morphia and other drugs are known to have passed with ease and security through some of the foreign post-offices in China.

By the Final Provision, thirty-four Powers in Europe and America not represented at the Conference were invited to sign the Convention, and almost all did so, so that before the matter passed into the hands of the League of Nations the Hague Convention had obtained the approval of nearly all civilized nations the world over.

The convulsion throughout the civilised world caused by the great war during the five years following the last session of the Conference prevented the aims sought from being carried into effect, but some steps were taken by different countries. Great Britain, indeed, instructed all her foreign possessions, excepting the great self-governing colonies, such as Canada, S. Africa, and Australia, to carry out the stipulations of the Hague Convention. The documents exchanged would fill a large volume. Even such small places as the Seychelles Islands and the Island of S. Helena were included. Those orders, however, did not interfere with the opium monopoly of the Indian Government, nor suppress the Government opium monopolies of Ceylon, The Straits Settlements, The Federated Malay States and Hongkong. Nevertheless the traffic in these centres was to some extent influenced by the orders of the British Government and the decisions of the Hague Convention. The action taken by Great Britain and other countries in the enactment of new laws following the suggestions of the Hague Convention did not take place until after peace had been declared and the control of the trade in narcotics had been handed over to the League of Nations. One important event, however, did take place between the signing of the Hague Convention and the creation of the League of Nations, and that was the signing of a new treaty between China, Great Britain, and the Indian Government, by which the importation of Indian opium into China was prohibited.

The recommendation of the Hague Conference that the Powers should enact fresh legislation where necessary has been acted upon by Great Britain, the United States of America, Japan and China.

THE DANGEROUS DRUGS ACT.

In one respect the most important action is that taken by Great Britain in passing the Dangerous Drugs Act, which came into operation on September 1, 1921, because this Act may form a model that will be copied by other nations. This Act deals with raw and prepared opium, and with such drugs as morphine and cocaine. Under Part I the export or import of raw opium into the United Kingdom except under license is forbidden, and the importation of raw opium into a foreign country where it is prohibited or restricted is also forbidden. Prepared opium is by Part II forbidden to be imported into, or exported from, the United Kingdom, and the sale, or possession of it, or or any pipes or utensils, is also absolutely forbidden. Thus any attempt at smoking opium becomes illegal, nor may anyone assist others to indulge in the pleasures of the opium pipe. Part III deals with morphine, cocaine, ecgonine, diamorphine (known as heroin) medicinal opium, and their salts, and arranges for passage of regulations controlling the manufacture, sale, possession, and distribution of these drugs. The Act covers new salts or alkaloids which may be prepared in the future. Part IV, described as "general" contains those further articles necessary to make the Act efficient, and affixes the penalties for any breach of the law at a fine not exceeding two hundred pounds or six months imprisonment with or without hard labour. This important piece of legislation has been followed up by the promulgation of the Regulations arranged for. As these imposed a certain amount of troublesome details in the way of entries in prepared books on the part of physicians and chemists, there sprung up some opposition; but the Government remained firm and the Regulations were formed in accordance with the spirit of the Act. It is to be hoped that ultimately the provisions of this Act will be extended to all parts of the British Dominions.

UNITED STATES LEGISLATION.

In the United States under Sections 6 and 7 of an Act approved January 17, 1914, which amended the Act of 1909 prohibiting the importation and use of opium for other than medicinal purposes; the exportation of opium, cocaine, their salts and derivatives to any other country was prohibited, except under such regulations as were prescribed by the country into which they were imported. Export of prepared opium for smoking purposes was absolutely prohibited and the Secretary of State, the Secretary of the Treasury, and the Secretary of Commerce were empowered to "make and publish all proper regulations for carrying the provisions of this section into effect." New "Joint Regulations" were made on

May 1, 1920, and along with the Regulations, the Department of State issued a synopsis of foreign laws. (See Appendix: United States; Sections 6 and 7 of the Act approved, Jan. 17, 1914; and Joint Regulations of the Secretary of State, the Secretary of the Treasury, and the Secretary of Commerce. Law and Regulations of Foreign Countries. Washington, March 1, 1920.)

These laws went far to stop exportation, but in 1920 there was a considerable amount of morphia exported from the United States for Japan, and the matter was brought before the Attorney General and the Secretary of State. The Attorney General held the opinion that the laws of Japan did not correspond with the requirements of Section 6 regarding the importation of morphia, and consequently the exportation of that drug to Japan was forbidden.*

The "Joint Regulations" of May 1, 1920 contained the usual stipulations regarding the marking of packages of the drugs, licensing articles for export, etc., but it was definitely stated that the term 'export' should not apply to shipments in transit through the United States under customs bond, and this left the door open for other countries to import morphia and cocaine into Japan through the United States.

New bills have been introduced into the Senate of the United States and the House of Representatives. The first of these, introduced into the Senate by Senator Jones of Washington, and into the House of Representatives by Congressman Miller, forbids the exportation from the United States, or from any country under its jurisdiction, or from countries where it exercises extraterritorial jurisdiction, of the narcotic drugs, and also their importation except in crude form when found necessary by the Surgeon General of the U.S. Public Health Service to provide needed medicinal preparation for the sole use of the United States. The privilege of 'in transit' shipments so far as it applies to these narcotics is withdrawn. These Bills were referred to the Committee of Ways and Means, and evidence was taken of representatives of the large manufacturing drug firms, who complained that the measures were too severe and would interfere with legitimate trade. In January 1921 modified Bills were introduced by Senator Curtis and Congressman Rainey. While prohibiting absolutely the importation or exportation of any "prepared opium" for the purpose of opium smoking, they would permit exportation to such countries as "shall have instituted in conformity with article 13 of the Hague Convention a permit or license system for the control of imports of such drugs; provided further, that such exports shall be consigned only to an authorised permittee, and upon furnishing adequate proof

* See Peking and Tientsin Times, Anti-Opium and Anti-Morphia Supplement.

that the drug to be exported is to be used exclusively for medical purposes within the country to which exported, that it will not be reexported, and that there is an actual shortage of and a demand for the drug for medicinal purposes within the country to which the export is consigned.”* The above mentioned legislation has not yet been passed.

The Government of the United States has taken an honourable position in endeavouring to obtain legal and international control over the traffic in narcotics, and there can be no doubt that suitable measures will in time be passed by it. Moreover, within the last few years, the drug habit has spread in many directions in America; consequently there is a strong realisation of the danger of permitting uncontrolled manufacture and a keen desire on the part of politicians in the States to keep their country free from participation in any traffic which exceeds strictly legitimate purposes.

JAPANESE LEGISLATION.

The Japanese code forbids the importation, manufacture, and sale of opium, the instruments or apparatus used for smoking opium, and the possession of these; it also makes the act of smoking a criminal offence. Offences are made punishable by penal servitude varying from three months to seven years according to the nature of the offence, but Customs officials if found guilty may be punished with penal servitude for a period of from one year to ten years. As no law prohibited traffic in morphia, Japanese traders have taken full advantage of the omission and have plied a vigorous trade with the Chinese. As the result of representations made by the International Anti-Opium Association, through the Japanese Minister in Peking, Mr. Obata, to the Japanese Government, the Department of the Interior, on December 6, 1920, issued “Regulations for the control of Morphia, Cocaine, and other alkaloids derived therefrom” These regulations forbid the importation or exportation of these drugs without a license from the Governor of the Prefecture concerned, obtained through the Minister of the Interior, and such licenses may not be obtained without the applicant furnishing particulars concerning the transaction. The same regulations also require pharmacutists and drug manufacturers to keep proper entries and make annual reports of all manufactures and sales. §

* See Appendix : Bills before the Senate and House of Representatives in the United States.

§ See Appendix : Japanese Code and Regulations of the Department of the Interior.

CHINESE LEGISLATION. WANT OF PROPER ADMINISTRATION.

In China the law is still not well established and administered. In 1919 the second revised draft of the Criminal Code of the Republic of China was promulgated. It is forbidden to manufacture, sell, export or import opium, morphine, cocaine, heroin, or any of their derivatives, or any article used exclusively for opium smoking. Opium-smoking, auto-injection of morphine, the supplying to others of any place for opium smoking, and the supplying to others of hypodermic injections of morphine are also punishable. To cultivate poppy or to sell poppy or cocaine are alike forbidden. Offences are punishable with imprisonment and fines. For smoking opium the term of imprisonment is limited to six months, but with permissible detention for a longer period, and a fine of one thousand dollars. The other offences are punished more severely, in most cases by imprisonment for a term from three to five years and fines from \$1000 to \$3000 or \$5000. The wide-spread traffic in morphia during the last three years called for more stringent legislation and in response to the representations of the International Anti-Opium Association, the President issued a temporary amendment to the laws to be ratified when Parliament assembled. These are specifically directed against the sale and use of morphia. These laws and mandates are not altogether a mere form, for the police make use of their power to search for opium, morphine, and the other articles used by addicts. Innumerable seizures are made throughout the year in many districts, and the drugs and other articles seized are publicly destroyed by fire. Dr. Wang Chung-huei, who has had much to do with the revision of the Chinese Criminal Code and recently was Chief Justice of China, has informed the Board of Directors of the International Anti-Opium Association that about eighty per cent of the criminal cases in China were for offences against the laws controlling the sale and use of narcotics. It should be observed that Chinese law forbids absolutely the exportation of opium, morphia, and other narcotics, as well as of poppy seed, and in this is in advance of many other countries.*

It will have been noticed that while legislation with regard to dangerous drugs in its commencement dealt generally with poisons, it has come to deal specially with the addictive drugs. The injurious effects of these drugs on the physical and moral welfare of those who indulge in them, and, in consequence, the social evils that result, especially in the increase of crime, has led to the necessity of placing the manufacture, sale and use of narcotics under the control of special and severe laws. The evils that arise from

* See Appendix: The Criminal Code of the Republic of China, Chap. XX. Amended Laws, Peking, Dec. 31, 1920.

the increase of narcotism are far more deleterious to humanity at large than any arising from murders, suicides, or accidents, however serious such may be in themselves. The large profits made out of the traffic representing capital amounting to many millions sterling and the enormous revenues obtained in some countries, amounting to as much as over forty per cent of the total revenue, all combine to make legislation difficult and these difficulties are increased by the ease with which smuggling can be and is carried on. In this respect the legislation called for cannot be carried through without the employment of a large staff of customs officials and police, the maintenance of which demands a heavy expenditure, a difficulty acutely felt in those countries in which the revenues are greatly curtailed by prohibition of opium. To this must be added the uselessness of legislation that is not enforced by all countries. That such legislation is needed is amply proved by the character of the legislation already adopted in many countries. There can be no doubt that the most enlightened public opinion demands it. To arrange for this legislation has now become one of the tasks entrusted to the League of Nations.

THE PEACE TREATY.

Enforcement of the Hague Convention was secured by Article 295 of the Treaty of Versailles.*

By this Article the acceptance and the ratification of the articles of the Hague Convention were agreed to by all the Powers signing the Treaty. The Government of the Netherlands accepted the task of acting as an intermediary through which the different Powers should communicate with each other and has also undertaken the duty of initiating fresh negotiations where necessary. By this same Article of the Versailles Treaty, the French Government undertook to communicate to the Government of the Netherlands a certified copy of the protocol of the deposit of ratifications of the Treaty, and invited that Government to accept and deposit the same as if it were a deposit of ratifications of the Opium Convention and a signature of the Additional Protocol of 1914.

By this means the ratification of the Hague Convention was secured, and the task undertaken by the League of Nations became in the main that of arranging for the necessary legislation demanded by the Hague Convention.

The first step taken by the Government of Holland was to request Sir William Meyer to prepare a Preliminary Report, and this Report forms Assembly Document 225 B. of the League of Nations. It is issued by Committee No. II, and is entitled "General Supervision over the Execution of Agreements with Regard

* See Appendix: Treaty of Versailles Article 295.

to the Traffic in Opium in Accordance with Article XXIII of the Covenant. In this document Sir William Meyer reviews the movement for international agreements and the necessary legislation commencing with the recommendations of the International Opium Commission held at Shanghai, 1909. There is little in this that does not appear in the pages of this book. The names of those Powers that in one way or another have ratified the Convention are given, but the following states, it is said, do not yet appear to have ratified.*

Sir William Meyer notices that in the British Empire regulations are being brought into effect and strengthened where necessary in the self governing dominions and other parts of the Empire, while as regards India "substantial effect has been given to the provisions of the Hague Convention and the Government of India has been asked by His Majesty's Government to examine the whole body of law and procedure and to make such alterations and amendments as may be necessary to bring it into precise agreement with the provisions of the Hague Convention." Lord Curzon's circular despatch of 22nd March, 1920 is referred to concerning the amounts of morphia reaching the Far East "in quantities largely in excess of the amount required for legitimate purposes." It is also stated that "an arrangement has been made by His Majesty's Government with the United States, the French and Japanese Governments whereby no consignment of morphia, or kindred drugs is allowed to be exported from the United Kingdom to any of the countries in question except on the production of a certificate from the Government concerned, stating that it is satisfied that the consignment is required exclusively for legitimate medical or scientific purposes, and will not be re-exported."

In conclusion Sir William Meyer states that the Netherlands Government holds that with the establishment of the League of Nations and the provisions made under Articles 23 (c) and 24 of the Covenant the duties it has hitherto performed should pass over to the League. This led to the establishment of a Committee with representatives of all members of the League of Nations entrusted with the preparation of a report on the Opium question. A further suggestion of Sir William Meyer has since been accepted and acted on by the appointment of a Special Commission representing the Members of the League most interested in opium matters. The members of this Commission and the countries they represent are,

* The Hedjaz, Persia, Chile, Argentine, Luxembourg, Mexico, Costa Rica, Dominion Republic, Salvador, Columbia, Paraguay, Turkey, Hungary, Armenia, and Switzerland.

W. G. van Wettum	Netherlands
Sir Malcolm Delevinghe	Gt. Britain
Gaston Kahn	France
J. Campbell	India
A. Ariyoshi	Japan
Tang Tsai Fu	China
Senior Ferreira	Portugal
Prince Charron	Siam.

and to these are added as Assessors, Sir John N. Jordan, Mons. Brenier, Mrs. Hamilton Wright, and Dr. Hawklings Yen.

Although the United States has not joined the League, representation of the country has been obtained by the appointment of Mrs. Hamilton Wright, but Germany, also not a member of the League, remains unrepresented.

This Commission has already met and its first action has been to start enquiries concerning the trade in narcotics in all countries. It has decided to wait for replies before recommending any course of action to the League.

What is expected from it may be gathered from the following quotations. The Times* commenting on a letter from Sir William Collins says.

"Doubtless the poppy will still have to be grown for legitimate purposes, but the extent of the cultivation and the reward it yields should be determined by the League of Nations. At the present time the world production is far in excess of legitimate or medical use By open and legitimate traffic—secretly by post, or by wholesale and petty smuggling, opium has a currency as wide as that of bank notes, and freer than that of gold. International control, strict and uniform, is required. If the League of Nations succeeds in this beneficent task it will have justified its existence."

The Christian Science Monitor says, "If the League takes the responsibility of regulation of the opium traffic it must be ready and willing to fight it to the bitter end, regardless of seeming material loss. It is a purely humanitarian question and has nothing to do with politics. The world must have some guarantee from the League that it has authority and the desire to carry this thing through to the end. First of all, if the opium problem is ever to be solved cultivation of poppy must be restricted, irrespective of the question of revenue to any country. It is going on an entirely false basis of taxation that revenues of a community can be based upon its physical and moral degradation. Such a theory is as obsolete as slavery. Nobody wants to break up the financial foundations of the East but

* The Times, London, May 19, 1921.

it is essential that those countries find some other arrangement for raising revenue, some substitute for the opium traffic.... The second thing that is necessary in solving the problem is that opium monopolies must go. All the legislation in the world might be passed but we are powerless to deal with the opium trade while such places as Hongkong, the Straits Settlements, Northern Borneo, Macao, and various eastern countries are free to import all the opium they desire. Such places as these are like the bad apple which spoils all the rest in the barrel: they injure the whole East..... In England public opinion is very strong in its desire to help remedy the evil, but is checked by the self interest of the Indian Government. The Indian Government, however, is willing to abide by the strict letter of the 1912 Convention, that is, it will refuse to export the drug to communities having laws prohibiting its importation, which is one of the fundamental laws of the convention, but it will not permit interference in the case of those countries of the East which have no such prohibitory legislation. Thus opium is with ease illicitly carried about..... It is the opportunity and privilege of this generation and particularly of the League of Nations to bring about one of the greatest moral reforms that has ever taken place."

CHAPTER X.

JAPAN AND THE TRAFFIC IN NARCOTICS.

JAPAN NOW AN IMPORTANT FACTOR IN NARCOTIC TRAFFIC.

The attitude of Japan on this question is one of great importance, since Japanese traders have taken a prominent part in the sale of opium and morphia in China during the last three or four years. Japan's position as one of the five leading Powers in the League of Nations gives to her Government considerable influence in the settlement of this international question. As a signatory to the Hague Convention Japan has bound herself to assist in the efficient control of this traffic. The United States, Great Britain, and India, as well as China, were signatories to that Convention, but although the Governments of these countries profess their loyalty to its decisions, the United States is being deluged with narcotics, many of them imports from other countries, India is increasing the amount of opium produced, and American, British, and Japanese traders have poured morphia and heroin with but little restraint into China. The British and United States Governments, appreciating the evil, have recently made efforts to repress the trade, but the conditions are so unsatisfactory that they call for the prompt action of the League of Nations, and in any satisfactory settlement Japan, no less than India, Great Britain, and the United States will have to take a leading place, not merely in framing the decisions that will have to be agreed upon, but by carrying them out when made. To make clear the attitude of Japan it is first of all necessary to produce evidence to show what part the Japanese Government and Japanese traders have taken in trafficking in narcotics, and then to show what Japan has done to control and restrain the trade.

JAPANESE GOVERNMENT OPIUM MONOPOLY:

ACTIVITIES IN SHANTUNG.

That the Japanese Government and Japanese merchants, have carried on an extensive trade in narcotics is no secret, and the traffic has been so great and the agencies employed so many that it is difficult to get the facts within a reasonable compass. Nevertheless we will attempt to state them as briefly as possible.

Although not confined to these places the Japanese trade in opium and morphia has been chiefly carried on in Shantung and the Leased Territory in Kuantung.

On succeeding to the German occupation of Tsingtao the Japanese Government established an opium monopoly, and the Japanese Military Government farmed this out to a Chinese, Liu Tzu-shan, whose headquarters, a large building on a main street were marked "Japanese Government Opium office." In addition to the headquarters seven sub-agencies were established. The opium was imported from Formosa and India, and was brought in under Government protection. The headquarters, and the sub-agencies were alike used for both wholesale and retail trade. Some of the profits have been spent on sanitary improvements, including a handsome new hospital built by the Japanese Military Government for Chinese patients only. Mr. Liu made a bond deposit with the Government, in 1919 the sum being \$200,000. The profits were divided, Mr. Liu receiving 30% and the Government 70%. Two kinds of opium were placed on the market: the native opium, of a black color and wrapped in Chinese oil-paper, selling at \$7 or \$8 per Chinese ounce; the foreign, of a dark brown color and wrapped in red paper selling above \$10 per Chinese ounce. This foreign opium was put up in small tin boxes of three kinds, \$1, \$2, and \$5 tins, and was sold openly and without any limit.

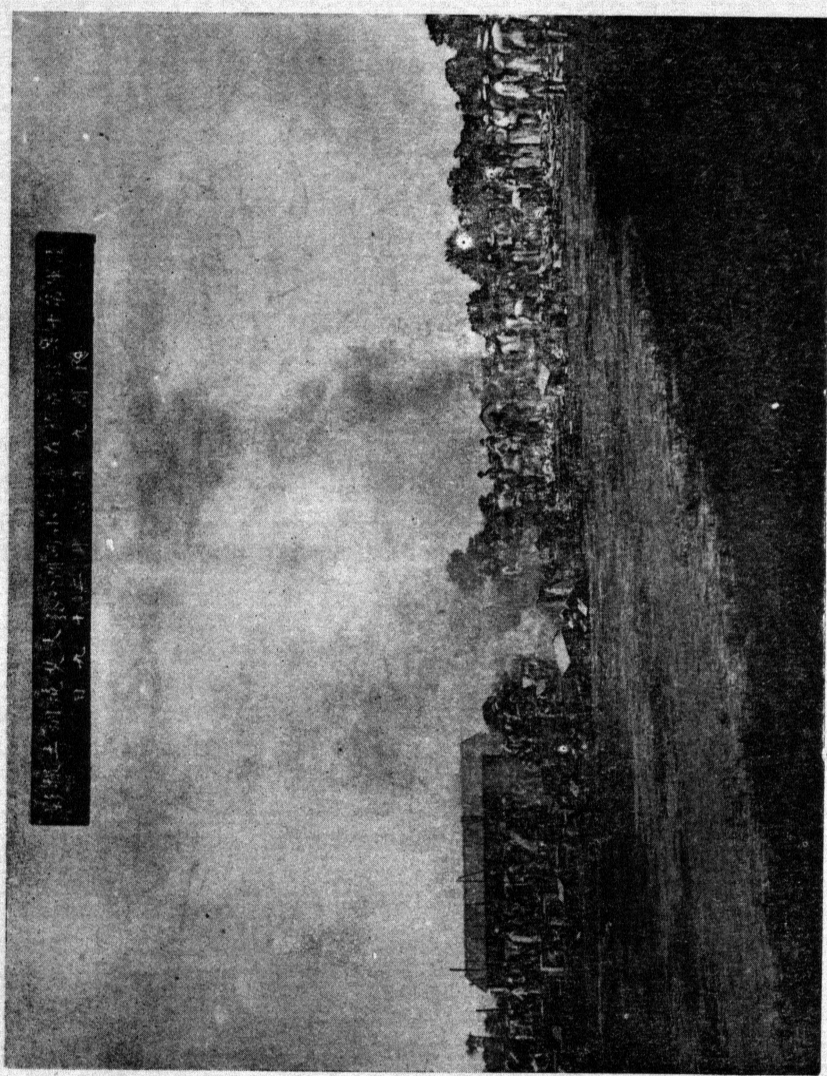
Chinese traders associated with Japanese have carried the trade to many districts in Shantung, and this has not been difficult, as the Japanese could transport the opium in their baggage on the railway line unexamined as they were protected by the Japanese soldiery.

At Tsinanfu, Capital of the Province, the trade has been particularly brisk. Here as elsewhere it has been combined with a traffic in morphia, and the extent and character of the trade can be estimated from the following extract taken from the Shanghai Gazette.*

"Fifty-three Chinese opium slaves under arrest—six Russians, and one Turk, members of the local "opium combine" sent as prisoners to Tientsin, twenty six opium dens raided, capture of 500,000 opium pills, mostly of Japanese make, 60 packages of anti-opium pills bought from Mikkaikoshi, a Japanese firm in Tientsin, 42 boxes of Chinese-made anti-opium pills, 50 opium pipes, 111 bottles of strychnine from London, 16 ounces of Morphine Muriate Powder from J. D. Wink & Co., London, 50 ounces of Diacetylmorphine Hydrochloride from Powers, Weightman, Rosengarten & Co., Philadelphia, several complete outfits for making opium pills, all taken within fourteen days, is the astounding

* February 6, 1920 :—

影照三湖海大於分湖而小三堂在湖西吳十府東門
日九月廿五號即九月九日



Opium Burning at Chang Teh, Honan 1940

record of Civil Governor, Chu Yin-kuang, and his new Police Commissioner, Chin Yen-nien."

This extract, however, gives but a partial view of the extent to which the traffic in narcotics is carried on in Tsinanfu, for only Chinese shops and opium dens were raided. The report continues :

"Although he has raided only Chinese places, Commissioner Chin has captured a large quantity of Japanese opium, pills, and morphia by placing policemen outside of the Japanese stores to search the Chinese coming out of these shops and to confiscate the opium containing drugs found on their persons."

Had the Chinese police been permitted to raid the Japanese stores very much larger seizures would inevitably have been made, and here it is requisite to note that the morphia was manufactured by leading firms in Great Britain and the United States. British and American manufacturers must share with Japanese and Chinese traders the moral responsibility for the trade in these poisonous drugs and the British and American Governments, as well as the Japanese Government, are responsible for the traffic carried on by their nationals, although, perhaps in different proportions. The article closes :

"On Tuesday, February 3rd Commissioner Chin gave a public exhibition of the plunder taken during the last two weeks. The presence at the exhibition of the Japanese commandant of the local Japanese gendarmerie and of Tu T'ien, the chief of the Japanese police advisors in Tsinan, to take several photographs of the gruesome harvest of death, lent a touch of comedy to this international opium tragedy."

The Black List of opium and morphia traders published in the Anti-Opium Supplement of the Peking and Tientsin Times gives the names of forty dealers in Tsinanfu, alleged to be dealers in narcotics, of 6 more at Chou Tsun, and five in Chefoo, all in the province of Shantung. In addition to these the Black List published the names of eight Japanese dealers in different centres in Chihli, and twenty-eight in Manchuria. Names were also published of Chinese and Russian dealers. While this list cannot be taken as exhaustive, the Japanese dealers in Tsinanfu far outnumbered the dealers of any other nationality.

In addition to the trade carried on by Japanese in opium in Shantung an extensive trade exists in the Province of Fuhkien. Reliable reports have been received from Foochow, where the Japanese in open defiance of the law sold opium and morphia. The International Anti-Opium Association, Peking, received information that in 1919-20 there were in Foochow 54 opium dens, 18 combination pawn shops and opium dens, 3 morphia shops, and 18 shops and stores where opium was sold. In some of these places

the dens and stores were run by Formosan Chinese who had been naturalized as Japanese and were thereby exempt from interference by the Chinese police.

JAPANESE ACTIVITIES IN THE KWANTUNG LEASED TERRITORY.

In the Leased Territory of Kwangtung a very extensive traffic in opium has been carried on for some years. At first the monopoly in opium was granted to private persons, and the opium was chiefly sold to Chinese employees on the South Manchurian Railway. The Japanese Government under the Okuma Ministry in 1915 found that large profits were being made, and forced a large proportion into the Government coffers. It has been reported that in 1915 the Japanese Government cancelled the opium monopoly, and started a Government Bureau, but according to the Peking Yi Shih Pao, a newspaper which seems to be well informed on the subject, the Government continued to hand the sale of opium over to the Mitsui Company, under the control of the Dairen Opium Bureau, and took a large share of the profits. The same paper says that the opium sold was classed under three heads:—

(1) Persian Opium sold by Mitsui & Co., under the permission of the Kuantung Government. The opium was retailed to 50 sellers, and the amount consumed annually was 2,100 kuan (one kuan=100 ounces). This was sold at \$12 per oz. The Mitsui Co. formerly sold opium at \$5 to the Bureau. The profits annually would easily exceed \$1,000,000.

(2) The second supply was the "Smuggled Opium", and the sale of this was not authorized, but connived at. About 3,700 kuan were disposed of annually, and the profits were about \$1,200,000. The profits derived by the Government were divided between the Kuantung Governor's "secret fund", a certain Japanese political party, and one part went to line the pockets of important Japanese.

(3) The third supply was the "Confiscated opium," of which large amounts were seized and sold again to the Chinese. The profits during the last five years are estimated at \$1,600,000, and were divided between the detectives and secret service men, the Opium Bureau and the Japanese State Treasury. Out of these profits the Civil Governor's Office was built at Dairen, at a cost of \$200,000.

Such are the statements made in the Chinese Press in Peking and translated in Chinese owned papers in the English language, and there has been no denial of these statements nor any legal action taken. Therefore the truthfulness and reliability in the main may reasonably be accepted.

The whole matter has been brought before the House of Representatives in Tokyo. It was asserted by Mr. Hondo of the Kenseikai party that the Government profits had amounted to Yen 4,832,700 but of this amount only Yen 800,000 had been entered in official returns. Another member, Mr. Peng Lien-heng (Chinese version of Japanese name) said that 800 Japanese were engaged in this traffic, 200 of them being in Dairen. It was alleged that the annual reported sales amounted to 5,200 kuan, the receipts being \$6,132,000, but that as many sales were not reported the lowest estimate of profits would be \$5,000,000.

These statements were denied by the Governor of Kwantung and members representing the Government, but two facts are indisputable: the first is that an enormous traffic in opium with the knowledge of the Japanese Government has been carried on at Kwantung, and the second is that the opposing political parties have compelled the Government to start an enquiry, with the result that Mr. Nakano, the Director of the Dairen Opium Bureau has been arrested, and the Directors of the South Manchurian Railway have been under examination. The final issues of the Government enquiry may not be known for months, but it is perfectly well known that there has been large-scale continuous smuggling of opium along the railway lines from Manchuria into China.

JAPANESE ACTIVITIES IN FORMOSA AND KOREA.

The Japanese dependencies, Formosa and Korea, participate to some extent in the traffic in narcotics. At a Committee meeting of the House of Representatives, Tokyo, held on March 18th, 1919, in reply to a question, Mr. Kaku, chief of the Formosan Monopoly Bureau, gave the following figures as the value of the opium sold by the Formosan Government during the years, 1916-1918:—

1916	Opium sold, value	Yen 324,825	
1917	„ „ „	Yen 280,605	
1918	„ „ „	Yen 611,258	(Peking Daily News Mar. 21, 1919)

In the year 1919 the Report of the Superintendent of Imports and Exports, gives "Raw Opium, exported, destination, Keelung, Formosa, chests 376.

In addition to the trade in opium Japanese speculators in Formosa have commenced what promises to be a flourishing traffic in cocaine. A Japanese firm, Abe Shoten,* applied for permission to cultivate 720 acres, in Chikushi Mon, in the Kagi prefecture.

* According to a Formosan paper, *Taiwan Shimbum*.

150 acres were planted with the coca shrub with such success for two or three years that in 1919, 360 more acres were planted.

Concerning Korea, missionaries have been quoted as stating that opium is freely grown, but last June the Government issued a new Ordinance controlling opium, and the present rules control the growth and sale of opium in Korea on almost exactly the same lines as it is controlled in Japan. The growth of poppy and sale of opium will depend on the action of the Governor in enforcing and applying the Government rules and regulations.

JAPAN'S PART IN THE NARCOTIC TRAFFIC: A GREATER EVIL THAN EVEN THE OPIUM TRADE.

Serious as the Japanese traffic in opium has been, it is insignificant compared with the traffic in morphia and heroin. A glance at the map published with this volume will show how widespread the trade has been. The responsibility for that trade does not rest alone on Japanese traders and their Chinese employees, for the greater part of the morphia that has been sold bears the names of leading American and British manufacturers. Lately the names of Continental manufacturers appear on the labels taken from parcels of morphia seized by the Chinese Maritime Customs, there being in all probability a surplus of narcotics left in Europe after the cessation of the war, which surplus manufacturers have been glad to dump into China. There have been packages of morphia seized bearing the names of Japanese manufacturers, but the greater part of the wholesale trade has come from Gt. Britain and America, while the Japanese must bear the responsibility for the retail trade that has penetrated into many of the Provinces of China.

Before 1914 Japan produced from thirty to forty thousand ounces of morphia annually for medical uses in Japan and not for export, but after that there sprang up a large importation of morphia into Japan. Japanese law made it impossible for the amounts imported to be used in that country, and the facts show that the morphia was imported for re-exportation to China. The Japan Weekly Chronicle for January 27, 1921, gives the following figures showing the amounts of morphia imported in ozs.

Year	ozs.
1915, Morphia imported,	358,543
1916 " " "	558,812
1917 " " "	600,229
1918 " " "	165,085
1919 " " "	409,109

In 1920 the amount is given approximately at 880,000* ozs, worth nearly Yen 10,500,000.

† Peking and Tientsin Times May 23, 1921.

* One ounce supplies one thousand injections.

FACTS OF THE NARCOTIC TRAFFIC BROUGHT TO LIGHT BY INTERNATIONAL ANTI-OPIUM ASSOCIATION.

The information received by the International Anti-Opium Association throws a flood of light on this traffic. Among the numerous reports received are the following items.

"Morphia is imported at Dairen and Newchwang by the Japanese. "Along the Manchuria Railway morphia can be found everywhere, handled by the Japanese. Of the "medicine shops" of the Japanese, nine out of ten sell morphia.

The sale of morphia at Tientsin is also enormous. All the "medicine shops" in the Japanese Concession and the Chinese town stand on this business alone. Every evening numbers of low-class Chinese go into the Japanese medicine shops putting a few coppers or a dime on the counter and get a small packet in return. Not a word is said in this business. The morphia is folded into small packets sold for five and ten cents.

Japanese traders, assisted often by Chinese, are found in many places in Chihli Province. The morphia is generally given in the form of hypodermic injections. At the Japanese store a small window is left open, the purchaser thrusts his bare arm through the window, deposits his coin and receives his morphia injection and departs, neither seller nor purchaser perceiving one another.

Reports also come from Foochow and Yenping in Fuhkien of extensive sales of morphia, chiefly by Japanese pedlars.

The importation of opium and morphia, and other narcotics into China being illicit there has been a great development of the smuggling trade, and this has not been difficult. The extended coast line, with Customs barriers only at ports where steamers carry the trade, the ease with which smuggling can be effected on the South Manchurian Railway, the Japanese control of Tsingtao and the trunk railway through Shantung, have provided almost every condition that smugglers can desire. Seizures of opium and morphia have been constantly made, sometimes of very large amounts; and the fact that the profits in the traffic are so high that confiscation has not in the least hindered the traffic, can only be taken as some indication of the enormous amounts of dangerous drugs illicitly introduced into China.

It is impossible to give full reports of all these seizures, but some cases are mentioned as evidence that a very extensive illicit trade has been persistently carried on for the last two or three years.

At Shanghai, on April 11th, 1919, 300 pounds of opium, and 63 pounds of morphia that had been confiscated on different

occasions by the Japanese, were handed over by the Japanese Consul General to the Chinese authorities.*

In May, June and July there were three cases reported of smuggling opium and morphia by Japanese, and in one case three men belonging to the crew of the steamship Yabata Maru were imprisoned three months.

In July there was a case before the Japanese Consular Court when several Japanese were arrested for attempting to smuggle 68 pounds of morphia, and 3500 ounces of heroin, enough of the drug for 12,250,000 injections. Five men were convicted. Of the principal offenders one was punished with 30 days imprisonment, and two others with 20 days, and two more for attempting black-mail were punished more heavily, receiving sentences of four months imprisonment with hard labour, and fifteen days further imprisonment. These sentences seem altogether inadequate, and the confiscation of the drugs would have added considerably to the punishment as they were worth \$250,000. Strangely in this case as heroin was not specifically mentioned in the Consular orders, the amount of that drug seized was ordered by the Court to be returned to the owners. This was brought to the notice of the Japanese Minister by the Secretary of the International Anti-Opium Association and although such an order had been given by the Japanese Consul General at Shanghai Mr. Obata said that the heroin had not been, and would not be returned.†

On October 11, 1919 a Japanese was arrested for attempting to smuggle \$40,000 worth of morphia.§

On the evening of April 22, 1920 thirty three parcels labelled "toys" consigned to a Japanese trader at Tientsin were seized by the Chinese Maritime Customs, and were found to contain sufficient morphia for two and half million injections. The "toy" dealer was tried and sentenced by the Japanese Court.*

May 25 a seizure of smuggled opium of 11,952 *taels* was taken from a Japanese steam launch from Amoy, the opium was valued at \$120,000.**

* Peking Daily News. Apl. 17, 1919.

† Peking Daily News May 19, June 10, July 19, 1919.

‡ Peking Daily News July 26. 1919 and other papers of the same date.

§ Shanghai Gazette Nov. 13, 1919.

* Peking and Tientsin Times, May 6/90.

** Peking and Tientsin Times, June 5, 1920.

Also at Tientsin from the French Bund a consignment of medical cotton wool was seized by the Customs and was found to contain 250 ounces of morphia; the Japanese steamer Kyodo Maru had brought the consignment over and a Chinese broker had come for the delivery of the goods when the seizure was made.*

In September at Hongkong 18,069 *taels* of prepared non-Government opium were found concealed under the coal on the Japanese schooner, the Shennan Maru. The consignment was one of the largest seized for some time and was valued at \$250,000.†

At Tientsin on Oct. 23 there was found on the Awaji Maru 50,000 *taels* worth of morphia. The drug was concealed in cans described as tea, and on the consignees failing to put in appearance after notice had been served the cans were opened and the morphia discovered §

Other seizures made were 54,000 *taels* of morphia taken at Tientsin from the Taito Maru, at Osaka 8 bags of opium from the N. Y. K. steamer Yamashiro Maru, worth 40,000 yen, and at Tientsin from another Japanese steamer, 2,680 ounces of morphia, concealed in small bottles in rattan boxes and in porcelain vases. ||

The Japan Chronicle of December 16th stated that since July nine gangs, of forty five men in all, had been arrested for having in their possession 574 pounds of opium (worth Yen 20,439) 500 ounces of cocaine, and 20 pounds of morphia (worth Yen 19,000).

On Dec. 17th at Tientsin 1208 ounces of morphia were taken from the Daishin Maru, worth 31,860 *taels*, ¶ the Japan Weekly Chronicle, January 20, 1921 reports that the head "boy" of this steamer was arrested and found to have fifteen small parcels of morphia. This man, Takano Tamatsu and his accomplices had smuggled during the last three months of the year, 1919, about \$200,000 worth of morphia and were working in connection with a Japanese trader in Tientsin. Here the smuggling seems to have been out of Tientsin into Japan.

* Peking and Tientsin Times, July 27, 1920.

† Hongkong Weekly Press, Sept. 10, 1920.

Shanghai Gazette, Oct. 25, 1920.

§ Shanghai Gazette, Dec. 9, 1920.

|| Japanese Chronicle, Dec. 23, 1920.

¶ Peking Daily News, Dec. 23, 1920.

¶ Peking and Tientsin Times, Dec. 18, 1920.

JAPANESE NOT THE ONLY OFFENDERS.

It must not be supposed that the Japanese are the only offenders in regard to smuggling. Numbers of Chinese are engaged in it and not a few Russians have been found guilty, while in these Far Eastern ports there is always an element in the population of disreputable foreigners of almost every nationality, who are prepared to accept the risks for the sake of the large sums that are to be made. The large quantities seized, and the heavy losses entailed, it might have been imagined would have ruined the traffic, but that the smuggling goes on with no signs of diminution, but rather with a constant acceleration, proves beyond a doubt that these losses are quite insignificant compared with the enormous profits that are realised. Recently, new names of German and Swiss manufacturers have been appearing on the labels of packages of morphia and other narcotics seized by the Customs Authorities. They are as follows. C. F. Boehringer and Son, Mannheim (Deutschland), C. H. Boehringer Sohn, Niedor-Ingleheim a. Rh., The Juva Chemical Works, Basle, Switzerland, E. Merck, Darmstadt, the Chemical Works Madoery, Basle, Switzerland, and the Farbwerke Meister Lucius and Bruning Hoechst a. M., (Germany). One or two new Japanese firms have also been appearing on the labels. They are as follows: The Tao Kagaku Kabushiki Kaisha, of Tokyo, Japan; The Osaka Seikwa and Chemical Works, Osaka, Japan; Otto Reimer and Co. (either Tokyo or Osaka); the Takeda Chemical Works, Ltd., Osaka; the Tanabe Chemical Works, Osaka.

A list of seizures of narcotic drugs made by the Shanghai Customs during the period from September 19, 1921, to December 18, of the same year, is as follows:

9 Bottles—25 gms, Diacetyl Morphine Hydrochloride, seized ex-Yamashiro Maru 4 October 1921. Manufactured by Japan Pharmaceutical Establishment, Osaka.

19 Bottles—25 gms. Cocaine Hydrochloride, seized ex-Yamashiro Maru. 4 October 1921. Manufactured by Japan Pharmaceutical Establishment, Osaka.

36 Bottles—25 gms, Morphia Hydrochloride, Seized ex-Yamashiro Maru, 4 October 1921 Manufactured by the Japan Pharmaceutical Establishment, Osaka.

34 Tins—16 ozs. Muriate of Morphia, seized ex S.S. Chikugo Maru, 4 October 1921. Manufactured by C. H. Boehringer Sohn. Niederingelheim, Germany.

8 Tins—25 ozs. Diacetyl Morphine Hydrochloride, seized ex-Chikugo Maru, 4 October 1921. Manufactured by Mallinskrodt Chemical Works, St. Louis and New York.



Labels of Contraband seizures by Chinese Maritime Customs of morphia, heroin and cocaine.

4 Tins—25 ozs. Diacetyl Morphine Hydrochloride, seized ex-Chikugo Maru, 4 October 1921. Manufactured by The Hoffman-La Roche Chemical Works, New York.

12 Tins—25 ozs. Diacetyl Morphine Hydrochloride seized ex Chikugo Maru, 4 October 1921. Manufactured by Merck and Co. New York.

20 Tins—25 ozs. Diacetyl Morphine Hydrochloride, seized ex-Chikugo Maru, 4 October 1921. Manufactured by C. H. Boehringer Sohn, Niederingelheim, Germany.

30 Tins—25 ozs. Cocaine Hydrochloride, seized ex Chikugo Maru, 4 October 1921. Manufactured by F. Hoffmann. La Roche Chemical Works, New York.

4 Tins—25 ozs. Cocaine Hydrochlorate, seized ex Chikugo Maru, 4 October 1921. Manufactured by F. Merck Darmstadt, Germany.

6 Tins—25 ozs. Cocaine Chlorohydrate, seized ex Chikugo Maru, 4 October 1921. Manufactured by Chemical Works Madoery Ltd., Basle, Switzerland.

16 Tins—16 ozs. Muriate of Morphia seized ex Yamashiro Maru 4 October 1921, Manufactured by T. and H. Smith, London.

16 Bottles—Kilogramme, Chlorhydrate Diaetyl Morphine, seized ex-Yamashiro Maru 4 October 1922. Manufactured by T. & H. Smith, London.

2 Tins—2' ozs. Diacetyl Morphine Hydrochloride, seized ex-Yamshiro Maru, 2 October 1921. Manufactured by Merck & Co., New York.

10 Tins—5 ozs. Diacetyl Morphine Hydrochloride, seized ex Yamashiro Maru 4 October 1921, Manufactured by Mallinckrodt Chemical Works, St. Louis & New York.

2 Tins—250 gms. Morphine Hydrochloride seized ex S.S. Persia 3 November 1921. Manufactured by T. & H. Smith London.

Opium derivative unlabelled. 1 bottle— $\frac{1}{2}$ oz., Dionin (Ethyl-Morphine-Hydrochloride) seized ex-Haean, 23 November 1921. Unknown manufacture.

ATTITUDE OF THE JAPANESE GOVERNMENT.

In face of such an extensive traffic in narcotics, carried on partly by monopolies under the Japanese Government at Tsingtao and Dairen, and partly by smuggling on a very wide scale, it becomes important seeing that Japan is a signatory to the Hague Opium Convention to inquire what is the real attitude of the Japanese Government, and what steps that Government has taken to check this trade so detrimental to the best interests of China.

That the Japanese Government understands the injuries done by permitting a free trade in narcotics is proved by the laws that have been enacted controlling the cultivation and sale of opium in Japan. In the Spring of 1919 these laws were strengthened by fresh measures. In introducing the Government Opium Bill in the House of Representatives, Mr. Tokonami, the Home Minister said that the laws then in force were made twenty years ago, when the output of opium was only 1,500 pounds, but owing to the war the amount had increased to 4166 pounds in one year, and hence new legislation was required. Among other regulations opium was not to be exported without permission of the Home Minister. The present policy of the Government was to tighten the grip over the trade. The penalty to be inflicted for infringement of the law was imprisonment for a period not exceeding two years, and a fine of not more than Yen 1,000. During the debates Mr. Matsuda, one of the Councillors of the Foreign Office, admitted that the traffic in opium in some parts of China was, so far as the Japanese were concerned, in the hands of the Consular authority. The above statements on the part of Japanese statesmen, and the Government action in introducing such measures establish beyond a doubt that Japan recognised a certain measure of responsibility with regard to the importation of opium into China and its sale by Japanese to the Chinese.*

The Board of Directors of the International Anti-Opium Association, Peking, realising how important a part Japan played in advancing or preventing the traffic in opium and morphia with China made representations to the Japanese Minister, and the Secretary of the Association, the Rev. A. Sowerby, with Mr. A. Ramsay, one of the Directors, were courteously received by Mr. Obata, the Japanese Minister Plenipotentiary at Peking, who read them the following statement concerning the policy of Japan:

"With a view to saving China from the injury of opium smoking among her people Japan had willingly taken part in the Shanghai Opium Conference of 1909, and also at the Hague Conferences, 1911-13-14, and had become a party to the International Opium Agreement, the outcome of those conferences. It was also stated that when the consent of all the Powers concerned had been obtained for the execution of the agreement, that the Japanese Government would not fail to make its efforts for the realization of the principle adopted in it. That the Japanese Government had twice proposed to the Chinese Government, in 1914 and again later that if the Chinese Government would formulate proper Regulations for supervising the importation of opium

* Peking Daily News, March 11 and 21, 1919.

for medical purposes along a similar line to the existing Regulations regarding morphia and cocaine they were willing to undertake to prohibit the exportation of morphia to China, and although no reply had been received the Japanese Government had consented without hesitation to the overture made by the Chinese delegate at the Shanghai Tariff Conference in regard to the inclusion of opium in the list of articles of which the importation is generally prohibited. Also, from the same motive which actuated the Japanese Government in taking part in such international engagements, but independently of such conferences and negotiations, the Japanese Government had at its own initiative established a general plan with the object of controlling importation into and sale of opium in China."

This was summed up as follows:—

a. Strict prohibition of the trade in opium by Japanese subjects in China, and in case of violation, application of the provisions of the Japanese Criminal Laws, which stipulate severe punishment of those who import, sell, exchange, and possess opium or establish smoking houses.

b. Issuance of instructions to all the Post Offices in Japan to refuse the acceptance of parcels containing opium destined for China, and likewise between the Japanese Post Offices in China.

Concerning morphia and cocaine, the Japanese Government consented, in company with other countries, to the enforcement of the Regulations issued by the Chinese Government in 1909 for the control of these drugs and instructed the Japanese Consuls in China to prohibit the importation, manufacture and sale of these drugs by their nationals, and in case of violation, to inflict due penalties upon the offenders. Further instructions had been issued to the officials concerned for the strict enforcement of the original instructions.

Mr. Obata also stated that the Japanese Government was not satisfied with these steps, but being in sympathy with the Chinese Government in its anti-opium efforts it had been decided at the Cabinet meeting on January 17, 1921 to abolish the opium administration in Tsingtao and the leased territory in Kuantung, while the system in Formosa would be similarly treated as soon as possible.

Satisfactory as these professions on the part of the Japanese Government may seem, the account given above of the traffic that has been and is being carried on is a strange commentary on these utterances. It is true that to some extent offenders have been

punished, but the penalties have been entirely inadequate, and the opium monopolies have continued. Instances of sincerity on the part of the Japanese Government must be cited. Mr. Funatsu, the Japanese Consul-General at a dinner given to the Tientsin Branch of the Anti-Opium Association, said that he had deported about forty persons for infringement of the law.

When in July 1919 at Shanghai the Japanese Consul-General ordered the return of 3500 ounces of heroin to some convicted smugglers, because heroin was not mentioned in the Consular Orders, and the International Anti-Opium Association at Peking interviewed Mr. Obata on the subject, the heroin was, in spite of the Consul's order, retained, and Mr. Obata very courteously placed the representations made to him by the Association before the Tokyo Government, with the result that new Consular Orders were issued, and the smuggling of heroin was placed on the same footing as the smuggling of other prohibited drugs.

In face of the large volume of evidence as to the Japanese policy in regard to narcotics it is difficult to understand the real mental attitude of Japanese statesmen, but it seems probable that they consider their countrymen free to make considerable profits out of the traffic, until it is actually abolished by the united action of all the governments of the countries concerned. This would seem to be the view of Baron Hayashi, who in reply to a press interviewer said, "The opium question is an international question. The best solution is to stop the use of opium or other narcotics altogether, except for purely medical purposes." In reply to the remark "But some opium fiends will die unless narcotics are regularly administered", he added, "If they die it will be all the better. The production of narcotics should be controlled. So long as England produces morphine without limit there will be no way of stopping the unholy traffic. At present, because of the stoppage of the export of morphine from England, America has entered the business. The raw material comes mainly from the British spheres of influence, India and Persia. Unless England establishes her control over the raw material it will be of no use to talk about stopping the traffic. It is no use blaming the Japanese intermediaries. The traffic should be stopped at its sources. The Japanese part is an insignificant one indeed. The British Government, for instance, should refuse to sell to any Japanese or any other nationals narcotics other than those intended for legitimate purposes. This is a big question which should be handled internationally."*

* Peking Leader, Oct. 2 1919.

THE INTERNATIONAL ANTI-OPIUM ASSOCIATION SUCCEEDS IN OBTAINING
PROMISE FROM JAPANESE GOVERNMENT THAT OPIUM
MONOPOLY WOULD BE ABANDONED.

The steady continuance of the opium traffic and the importation of morphia caused the International Anti-Opium Association at Peking to again make representations to the Japanese Minister. Mr. Obata, who has always treated the Association with the utmost courtesy and ready assistance sent these representations at once to the Imperial Government at Tokyo, and on October 5, 1920 received the following reply signed by the First Secretary of the Japanese Legation:—

“With reference to your letter of June 10th last, regarding the trade in opium and other narcotics in Kwantung Leased Territory and Tsingtao, I am directed to inform you that, having referred the contents of your communication, immediately on its receipt, to his Government, Mr. Obata is now in receipt of a reply from them that it has been definitely decided entirely to abolish the opium monopoly system in the two localities in the course of this year.

As regards the illegal traffic in general in those territories, it is already a long time since it was prohibited, and now the local authorities have been warned to exercise special vigilance against the sale of such drugs not for medical purposes.”

A later communication explained that by the end of this year, the end of the fiscal year, March 31, 1921 was intended.

However, from the recent returns of the Chinese Maritime Customs at Dairen it appears that during the last quarter of the fiscal year 1920-1921, that is, from January to March, 1921, the total imports of Turkish opium amounted to 38,000 lbs., which amount is *in excess of the total imports of opium into Dairen, for the two preceeding years.*

The impression left in the minds of all thoughtful people by the pronouncement of Japanese Government was that a definite decrease of importation would ensue. Yet here we find 38,000 lbs. imported in one quarter of 1921, while the total amount for the two preceeding years was 37,000 lbs. This could not have been done with the intention of storing against a rainy day, for in the June quarter of 1921, a further 1275 lbs. were imported.

On December 6th, 1920 new Regulations for the control of the sale and manufacture of Morphia, Cocaine, and similar drugs in Japan were promulgated, and these new Regulations came into effect on January 1st 1921. In a letter to the Association the

First Secretary at the Japanese Legation explained that while strict regulations existed for the control of opium in Japan, adequate regulations for the control of morphia and cocaine and similar drugs have hitherto been wanting. These Regulations apply to the manufacture, sale, import, and export of morphine in its various forms, including heroin and codein, and to cocaine, and establish a licensing system over the whole trade including exports.

With these Regulations and with the decision to abolish the monopolies at Tsingtao, the Leased Territories, and ultimately Formosa, and the same Regulations having been made with only a slight exception applicable to Korea, Japan can claim to have taken all the steps necessary for creating authoritative control over the traffic in narcotics. During the past two years however the existing laws and regulations have been carried out so ineffectively that Japanese traders have been able to carry on an enormous trade in opium and the more dangerous narcotics. In the future, civilization's judgment of the sincerity of Japan will depend on whether the Regulations and laws are effectively applied, or whether they are only enforced so feebly and so infrequently as to be of no avail.

In conclusion it is significant that several prominent Japanese leaders in the House of Representatives frequently criticize the actions of the Japanese Government severely and more especially the action of the Japanese Government authorities in the Leased Territory of Kuantung, particularly in connection with the traffic with the South Manchurian Railway, and the South Manchurian Agricultural Company. The Japanese Peace Society too has formed a special Anti-Opium Branch, under the immediate direction of Baron Sakatani.

APPENDICES.

APPENDIX I.

INTERNATIONAL OPIUM CONVENTION.

SIGNED AT THE HAGUE, 23 JANUARY, 1912.

CHAPTER I.—RAW OPIUM.

Definition.—By “raw opium” is understood:

The spontaneously coagulated juice obtained from the Capsules of the *papaver somniferum*, which has only been submitted to the necessary manipulations for packing and transport.

ARTICLE 1.—The contracting Powers shall enact effective laws or regulations for the control of the production and distribution of raw opium, unless laws or regulations on the subject are already in existence.

ARTICLE 2.—Due regard being had to the differences in their commercial conditions, the contracting Powers shall limit the number of towns, ports, or other localities through which the export or import of raw opium shall be permitted.

ARTICLE 3.—The contracting Powers shall take measures.—

(a) To prevent the export of raw opium to countries which shall have prohibited its entry, and

(b) To control the export of raw opium to countries which restrict its import, unless regulations on the subject are already in existence.

ARTICLE 4.—The contracting Powers shall make regulations requiring that every package containing raw opium intended for export shall be marked in such a way as to indicate its contents, provided that the consignment exceeds 5 kilog.

ARTICLE 5.—The contracting Powers shall not allow the import and export of raw opium except by duly authorized persons.

CHAPTER II.—PREPARED OPIUM.

Definition.—By “prepared opium” is understood:

The product of raw opium, obtained by a series of special operations, especially dissolving, boiling, roasting, and fermentation, designed to transform it into an extract suitable for consumption.

Prepared opium includes dross and all other residues remaining when opium has been smoked.

ARTICLE 6.—The contracting Powers shall take measures for the gradual and effective suppression of the manufacture of, internal trade in, and use of prepared opium, with due regard to the varying circumstances of each country concerned, unless regulations on the subject are already in existence.

ARTICLE 7.—The contracting Powers shall prohibit the import and export of prepared opium; those Powers, however, which are not yet ready to prohibit immediately the export of prepared opium shall prohibit it as soon as possible.

ARTICLE 8.—The contracting Powers which are not yet ready to prohibit immediately the export of prepared opium—

(a) Shall restrict the number of towns, ports, or other localities through which prepared opium may be exported;

(b) Shall prohibit the export of prepared opium to countries which now forbid, or which may hereafter forbid, the import thereof;

(c) Shall, in the meanwhile, prohibit the consignment of prepared opium to a country which desires to restrict its entry, unless the exporter complies with the regulations of the importing country;

(d) Shall take measures to ensure that every package exported, containing prepared opium, bears a special mark indicating the nature of its contents;

(e) Shall not permit the export of prepared opium except by specially authorized persons.

CHAPTER III.—MEDICINAL OPIUM, MORPHINE, COCAINE, ETC.

Definition.—By “medicinal opium” is understood:

Raw opium which has been heated to 60° centigrade and contains not less than 10 per cent of morphine, whether or not it be powdered or granulated or mixed with indifferent materials.

By “morphine” is understood:

The principal alkaloid of opium, having the chemical formula $C_{17}H_{19}NO_3$

By “cocaine” is understood:

The principal alkaloid of the leaves of *Erythroxylon Coca*, having the formula $C_{17}H_{21}NO_4$

By “heroine” is understood:

Diacetyl-morphine, having the formula $C_{21}H_{23}NO_5$

ARTICLE 9.—The contracting Powers shall enact pharmacy laws or regulations to confine, to medical and legitimate purpose the manufacture, sale, and use of morphine, cocaine, and their respective salts unless laws or regulations on the subject are

already in existence. They shall co-operate with one another to prevent the use of these drugs for any other purpose.

ARTICLE 10.—The contracting Powers shall use their best endeavours to control, or to cause to be controlled, all persons manufacturing, importing, selling, distributing, and exporting morphine, cocaine, and their respective salts, as well as the buildings in which these persons carry on such industry or trade.

With this object, the contracting Parties shall use their best endeavours to adopt, or cause to be adopted, the following measures, unless regulations on the subject are already in existence:—

(a) To confine the manufacture of morphine, cocaine, and their respective salts to those establishments and premises alone which have been licensed for the purpose, or obtain information respecting the establishments and premises in which these drugs are manufactured and to keep a register of them;

(b) To require that all persons engaged in the manufacture, import, sale, distribution, or export of morphine, cocaine, and their respective salts shall be furnished with a license or permit to engage in these operations, or shall make to the competent authorities an official declaration that they are so engaged;

(c) To require that such persons shall enter in their books the quantities manufactured, imports, sales and all other distribution, and exports of morphine, cocaine, and their respective salts. This rule shall not necessarily apply to medical prescriptions and to sales by duly authorized chemists.

ARTICLE 11.—The contracting Powers shall take measures to prohibit as regards their internal trade, the delivery of morphine, cocaine, and their respective salts to any unauthorized persons unless regulations on the subject are already in existence.

ARTICLE 12.—Due regard being had to the differences in their conditions, the contracting Powers shall use their best endeavours to restrict to authorized persons the import of morphine, cocaine and their respective salts.

ARTICLE 13.—The contracting Powers shall use their best endeavours to adopt, or cause to be adopted, measures to ensure that morphine, cocaine, and their respective salts shall not be exported from their countries, possessions, colonies, and leased territories to the countries, possessions, colonies, and leased territories of the other contracting Powers, except when consigned to persons furnished with the licenses or permits provided for by the laws or regulations of the importing country.

With this object each Government may communicate from time to time to the Governments of the exporting countries lists of the persons to whom licenses or permits for the import of morphine, cocaine, and their respective salts have been granted.

ARTICLE 14.—The contracting Powers shall apply the laws and regulations respecting the manufacture, import, sale, or export of morphine, cocaine, and their respective salts—

(a) To medicinal opium ;

(b) To all preparations (official and non-official, including the so-called anti-opium remedies) containing more than 0.2 per cent of morphine, or more than 0.1 per cent of cocaine ;

(c) To heroine, its salts and preparations containing more than 0.1 per cent of heroine ;

(d) To all new derivatives of morphine, of cocaine, or of their respective salts, and to every other alkaloid of opium, which may be shown by scientific research, generally recognized, to be liable to similar abuse and productive of like ill-effects.

CHAPTER IV.

ARTICLE 15.—The contracting Powers having treaties with China (Treaty Powers), shall, in conjunction with the Chinese Government, take the necessary measures to prevent the smuggling into Chinese territory, as well as into their Far-Eastern colonies and into the leased territories which they occupy in China, of raw and prepared opium, morphine, cocaine, and their respective salts, as also of the substances referred to in article 14 of the present convention. The Chinese Government shall, on their part, take similar measures for the suppression of the smuggling of opium and of the other substances above referred to from China to the foreign colonies and leased territories.

ARTICLE 16.—The Chinese Government shall promulgate pharmacy laws for their subjects, regulating the sale and distribution of morphine, cocaine, and their respective salts, and of the substances referred to in article 14 of the present convention, and shall communicate these laws to the Governments having treaties with China, through their diplomatic representatives at Peking. The contracting Powers having treaties with China shall examine these laws and, if they find them acceptable, shall take the necessary measures to apply them to their nationals residing in China.

ARTICLE 17.—The contracting Powers having treaties with China shall undertake to adopt the necessary measures to restrict and control the habit of smoking opium in their leased territories settlements, and concessions in China, to suppress, *pari passu* with the Chinese Government, the opium dens or similar establishments which may still exist there, and to prohibit the use of opium in places of entertainment and brothels.

ARTICLE 18.—The contracting Powers having treaties with China shall take effective measures for the gradual reduction, *pari passu* with the effective measures which the Chinese Government

shall take with the same object, of the number of shops in which raw and prepared opium are sold, which may still exist in their leased territories, settlements, and concessions in China. They shall adopt effective measures for the restriction and control of the retail trade in opium in the leased territories, settlements, and concessions, unless regulations on the subject are already in existence.

ARTICLE 19.—The contracting Powers having post offices in China shall adopt effective measures to prohibit the illegal import into China in the form of postal packages, as well as the illegal transmission through these offices from one place in China to another, of opium (raw or prepared), morphine, cocaine, and their respective salts, and of the other substances referred to in article 14 of the present convention.

CHAPTER V.

ARTICLE 20.—The contracting Powers shall examine the possibility of enacting laws or regulations making it a penal offence to be in illegal possession of raw opium, prepared opium, morphine, cocaine and their respective salts, unless laws or regulations on the subject are already in existence.

ARTICLE 21.—The contracting Powers shall communicate to one another, through the Minister of Foreign Affairs of the Netherlands.—

(a) The texts of the existing laws and administrative regulations respecting the matters referred to in the present convention, or promulgated in virtue of the clauses thereof.

(b) Statistical information as regards the trade in raw opium, prepared opium, morphine, cocaine, and their respective salts, as well as in the other drugs or their salts or preparations referred to in the present convention.

These statistics shall be furnished with as many details and within a period as short as may be considered possible.

CHAPTER VI.—FINAL PROVISIONS.

ARTICLE 22.—Any Power not represented at the conference shall be allowed to sign the present convention.

With this object the Government of the Netherlands will, immediately after the signature of the convention by the plenipotentiaries of the Powers which have taken part in the conference, invite all the Powers of Europe and America not represented at the conference, that is to say :

The Argentine Republic, Austria-Hungary, Belgium, Bolivia, Brazil, Bulgaria, Chile, Colombia, Costa Rica, the Re-

public of Cuba, Denmark, the Dominican Republic, the Republic of Equador, Spain, Greece, Guatemala, the Republic of Haiti, Honduras, Luxemburg, Mexico, Montenegro, Nicaragua, Norway, Panama, Paraguay, Peru, Roumania, Salvador, Servia, Sweden, Switzerland, Turkey, Uruguay, the United States of Venezuela, to appoint a delegate, furnished with the necessary full powers, to sign the convention at The Hague.

These signatures shall be affixed to the convention by means of a 'Protocol of signature by Powers not represented at the conference,' to be added after the signatures of the Powers represented, the date of each signature being mentioned.

The Government of the Netherlands will, every month, notify the signatory Powers of each supplementary signature.

ARTICLE 23.—After all the Powers, as well on their own behalf as on behalf of their possessions, colonies, protectorates, and leased territories, have signed the convention or the supplementary protocol above referred to, the Government of the Netherlands will invite all the Powers to ratify the convention with this protocol.

In the event of the signature of all the Powers invited not having been obtained on the date of the 31st December, 1912, the Government of the Netherlands will immediately invite the Powers who have signed by that date to appoint delegates to examine at The Hague the possibility of depositing their ratifications notwithstanding.

The ratification shall take place within as short a period as possible and shall be deposited at the Ministry of Foreign Affairs at The Hague.

The Government of the Netherlands will every month notify the signatory Powers of the ratifications which they have received in the interval.

As soon as the ratifications of all the signatory Powers, as well on their own behalf as on behalf of their own colonies, possessions, protectorates, and leased territories, have been received by the Government of the Netherlands, the latter will notify all the Powers who have ratified the convention of the date on which it received the last instrument of ratification.

ARTICLE 24.—The present convention shall come into force three months after the date mentioned in the notification by the Government of the Netherlands, referred to in the last paragraph of the preceeding article.

With regard to the laws, regulations, or other measures contemplated by the present convention, it is agreed that the Bills or drafts required for this purpose shall be prepared not later than six months after the entry into force of the convention. As regards the laws, they shall also be submitted by their Governments

to the Parliaments or legislative bodies within the same period of six months or in any case at the first session following the expiration of this period.

The date on which these laws, regulations, or measures shall come into force shall form the subject of an agreement between the contracting Powers, at the instance of the Government of the Netherlands.

In the event of questions arising relative to the ratification of the present convention, or to the enforcement either of the convention or of the laws, regulations, or measures resulting therefrom, the Government of the Netherlands will, if these questions cannot be settled by other means, invite all the contracting Powers to appoint delegates to meet at The Hague in order to arrive at an immediate agreement on these questions.

ARTICLE 25.—If one of the contracting Powers should wish to denounce the present convention, the denunciation shall be notified in writing to the Government of the Netherlands, who will immediately communicate a certified copy of the notification to all the other Powers, informing them of the date on which it was received.

The denunciation shall take effect only as regards the Power which notified it, and one year after the notification thereof has reached the Government of the Netherlands.

Four of the signatories made the following reservations:—

France: "With the reservation that a separate and special ratification or denunciation may subsequently be obtained for the French protectorates."

Great Britain: "With the reservation of the following declaration:

The articles of the present convention, if ratified by His Britannic Majesty's Government, shall apply to the Government of British India, Ceylon, the Straits Settlements, Hongkong, and Weihaiwei in every respect in the same way as they shall apply to the United Kingdom of Great Britain and Ireland; but His Britannic Majesty's Government reserve the right of signing or denouncing separately the said convention in the name of any dominion, colony, dependency, or protectorate of His Majesty other than those which have been specified."

Persia: "With the reservation of articles 15, 16, 17, 18, and 19 (Persia having no treaty with China), and paragraph (a) of article 3."

Siam: "With the reservation of articles 15, 16, 17, 18, and 19, Siam having no treaty with China."

FINAL PROTOCOL OF THE INTERNATIONAL OPIUM CONFERENCE.

The conference further expressed the following vœux:—

1. The conference considers it desirable to direct the attention of the Universal Postal Union—

(1) To the urgency of regulating the transmission through the post of raw opium:

(2) To the urgency of regulating as far as possible the transmission through the post of morphine, cocaine, and their respective salts and other substances referred to in article 14 of the convention;

(3) To the necessity of prohibiting the transmission of prepared opium through the post.

2. The conference considers it desirable to study the question of Indian hemp from the statistical and scientific point of view, with the object of regulating its abuses, should the necessity thereof be felt, by internal legislation or by an international agreement.

APPENDIX II.

A.

THE BRITISH DANGEROUS DRUGS ACT.

PART I.—RAW OPIUM.

1.—It shall not be lawful for any person to import or bring into the United Kingdom any raw opium except under license and into approved ports.

2. (1) It shall not be lawful for any person to export from the United Kingdom any raw opium except under license and from approved ports and except in packages marked in the prescribed manner with an indication of the contents thereof.

2.—If at any time the importation of raw opium into a foreign country is prohibited or restricted by the laws of that country, there shall while that prohibition or restriction is in force, be attached to every license which is issued by a Secretary of State under this Act authorizing the export of raw opium from the United Kingdom, such conditions as appear to him necessary for preventing or restricting, as the case may be, the exportation of raw opium from the United Kingdom to the country during such time as the importation of raw opium into that country is so prohibited or restricted, and any such license issued before the prohibition or restriction came into force shall, if a Secretary of State by order so directs, be deemed to be subject to the like conditions.

3.—Provision may be made by regulations for controlling or restricting the Production, sale and distribution of raw opium, and in particular, but without prejudice to the generality of the foregoing power, for prohibiting the production, sale or distribution of raw opium except by persons licensed or otherwise authorized in that behalf.

PART II.—PREPARED OPIUM.

4.—It shall not be lawful for any person to import or bring into, or to export from, the United Kingdom any prepared opium.

5.—If any person :—

- (a) Manufactures, sells or otherwise deals in prepared opium, or;

- (b) has in his possession any prepared opium; or
- (c) being the occupier of any premises permits those premises to be used for the purpose of the preparation of opium for smoking or the sale or smoking of prepared opium; or
- (d) is concerned in the management of any premises used for any such purpose as aforesaid; or
- (e) has in his possession any pipes or other utensils for use in connexion with the smoking of opium or any utensils used in connexion with the preparation of opium for smoking; or
- (f) smokes or otherwise uses prepared opium, or frequents any place used for the purpose of opium smoking; he shall be guilty of an offence against this Act.

PART III—COCAINE, MORPHINE, ETC.

6.—It shall not be lawful to import or bring into, or to export from, the United Kingdom any drug to which this part of this Act applies except under license.

7.—(1) For the purpose of preventing the improper use of the drugs to which this part of this Act applies provision may be made by regulations for controlling the manufacture, sale, possession and distribution of those drugs, and in particular, but without prejudice to the generality of the foregoing power, for—

- (a) Prohibiting the manufacture of any drug to which this part of this Act applies except on premises licensed for the purpose; and
- (b) Prohibiting the manufacture, sale or distribution of any such drug except by persons licensed or otherwise authorized under the regulation; and
- (c) Regulating the issue by medical practitioners of prescriptions containing any such drug and the dispensing of any such prescriptions; and
- (d) Requiring persons engaged in the manufacture, sale or distribution of any such drug to keep such books and furnish such information either in writing or otherwise as may be prescribed.

8.—(1) The drugs to which this part of this Act applies are morphine, cocaine, ecgonine, and diamorphine (commonly known as heroin), and their respective salts, and medicinal opium, and any preparation, admixture, extract, or other substance, containing not less than one-fifth per cent. of morphine or one-tenth per cent. of cocaine, ecgonine, or diamorphine.

For the purpose of the foregoing provision the percentage in the case of morphine shall be calculated as in respect of anhydrous morphine.

(2) If it appears to His Majesty that any new derivative of morphine or cocaine or of any salts of morphine or cocaine or any other alkaloid of opium or any other drug of whatever kind is or is likely to be productive, if improperly used, of ill effects substantially of the same character or nature as or analogous to those produced by morphine or cocaine, His Majesty may by order in Council declare that this part of this Act apply to that new derivative or alkaloid or any other drug in the same manner as it applies to the drugs mentioned in subsection (1) of this section.

PART IV—GENERAL.

9.—(1) Articles prohibited to be imported by virtue of this Act shall be deemed to be included among the goods enumerated and described in the table of prohibitions and restrictions inwards contained in section forty-two of the Customs Consolidation Act, 1876, and the provisions of this Act relating to the prohibition of the export of articles shall have effect as though they were included in that Act, and the provisions of that Act and of any Act amending or extending that Act shall apply accordingly.

(2) If any goods prohibited to be exported by virtue of this Act are exported from the United Kingdom in contravention thereof, or brought to a quay or other place to be shipped for the purpose of being so exported, or of being waterborne to be so exported, the exporter or his agent shall be liable to the same penalty as that to which a person is liable under section one hundred and eighty-six of the Customs Consolidation Act, 1876, for illegally importing prohibited goods.

10.—(1) Any constable or other person authorized in that behalf by any general or special order of a Secretary of State shall, for the purposes of the execution of this Act, have power to enter the premises of any person carrying on the business of a producer, manufacturer, seller or distributor of any drugs to which this Act applies, and to demand the production of and to inspect any books relating to the business and any stocks of any such drugs.

(2) If any person wilfully delays or obstructs any person in the exercise of his powers under this section or fails to produce or conceals or attempts to conceal any such book or stocks as aforesaid, he shall be guilty of an offence under this Act.

11.—Every regulation made under this Act shall be laid before each House of Parliament forthwith, and if an address is presented to His Majesty within twenty-one days on which that

House has sat next after such regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation and it shall thenceforth be void but without prejudice to the validity of anything previously done thereunder.

12.—Licences for the purposes of this Act may be issued by a Secretary of State and may be issued on such terms and subject to such conditions (including the payment of a fee) as the Secretary of State thinks proper.

13.—(1) If any person acts in contravention of or fails to comply with any regulation made under this Act or acts in contravention of or fails to comply with the conditions of any license issued under this Act, he shall be guilty of an offence against this Act.

(2) Any person guilty of an offence against this Act shall be liable on summary conviction to a fine not exceeding two hundred pounds or to imprisonment with or without hard labour for a term not exceeding six months.

14.—In this Act, unless the context otherwise requires.(1)

The expression "raw opium" includes powdered or granulated opium, but does not include medicinal opium;

The expression "prepared opium" means opium prepared for smoking and includes dross and any other residues remaining after opium has been smoked;

The expression "medicinal opium" means raw opium which has been artificially dried;

The expression "regulations" means regulations made under this Act by a Secretary of State;

The expression "prescribed" means prescribed by regulations;

The expression "approved ports" means ports approved by the Commissioners of Customs and Excise for the importation or exportation, as the case may be, of raw opium.

(2) For the purposes of this Act any article shall be deemed to be imported under license or exported under license if the importer or exporter, as the case may be, is the holder of a license under this Act authorizing the importation or exportation, as the case may be, of the article and complies with the conditions, if any, of the license, but not otherwise.

15.—(1) This Act may be cited as the Dangerous Drugs Act, 1920.

(2) This Act shall come into operation on the first day of September, ~~1920~~ 1921.

APPENDIX II.

B.

KING'S REGULATION NO. 22 OF MAY 26, 1919.

REGULATIONS PROHIBITING ANY DEALING IN OPIUM BY BRITISH SUBJECTS IN CHINA.

1. In the construction of these Regulations the word "Opium" shall mean, and include, every kind, class, and character of opium from wheresoever derived, whether crude, prepared or refuse, and all narcotic preparations thereof or therefrom, and all morphine or alkaloids of opium, and all preparations in which opium or its alkaloids enter as ingredients, together with all opium leaves and wrappings of opium leaves, whether such leaves or wrappings are prepared for use or not.

2. No person shall—

- (a) Import into or export out of China, or any Concession, Settlement or Leased Territory in China, opium; or
- (b) Buy, sell or deal in opium; or
- (c) Enter into negotiations for the sale or purchase of or other dealing in opium.

Provided that no medical practitioner, chemist, or druggist, practising or dispensing within the jurisdiction of His Britannic Majesty's Supreme Court for China qualified so to do to the satisfaction of His Majesty's Minister, and holding a certificate to be issued to him to that effect shall be hereby prevented from prescribing, preparing, or selling opium for bona fide medicinal purposes.

3. Any person who does, or attempts to do, any act prohibited by these Regulations commits a breach of the same; and shall, upon conviction, be liable to a fine not exceeding £50 or to imprisonment, with or without hard labour, for a period not exceeding three months, or to a fine or to both.

Provided that where such breach relates to the importation or exportation of opium the fine imposed may extend to a sum equivalent to treble the value of the opium in relation to which the breach is committed.

4. Any opium in relation to which an offence under these Regulations has been committed shall be liable to forfeiture; and upon forfeiture shall be dealt with as His Majesty's Minister may direct.

5. These Regulations may be cited as "The Opium Prohibition Regulations, 1919."

(Signed) J. N. JORDAN.

APPENDIX II.

C.

KING'S REGULATION No. 5 OF 1ST DECEMBER, 1908.

Prohibition of the Importation and Manufacture of Morphia.

WHEREAS by Article XI of the Commercial Treaty of September 5th. 1902, His Britannic Majesty's Government agreed with the Chinese Government upon certain stipulations relating to the importation and manufacture of Morphia into and in China;

AND WHEREAS His Britannic Majesty's Government having been notified by the Chinese Government of the concurrence of all other Treaty Powers in the stipulations aforesaid, it has been agreed that the said Article XI shall come into force on and from the 1st day of January, 1909.

AND WHEREAS His Britannic Majesty's Government have agreed with the Chinese Government that further measures for the regulation of this matter should also come into force on and from the same date of January 1st, 1909;

AND WHEREAS the Chinese Government have notified His Britannic Majesty's Government that the said further measures have been agreed to by all other Treaty Powers;

It is hereby ordered as follows:—

1. On and after January 1st. 1909, any British subject importing into China morphia or instruments for the injection of morphia except in accordance with the conditions laid down in Article XI of the Treaty of September 5th, 1902, for the importation of morphia, or any British subject manufacturing in China morphia or instruments for the injection of morphia, shall, on conviction, be liable to a fine not exceeding £50 or to imprisonment to any term not exceeding three months, or to both such punishments, and the morphia and the instruments for the injection of morphia may be declared to be forfeited.

2. These Regulations may be cited as "The Morphia Prohibition Regulations."

(Signed) J. N. JORDAN.

APPENDIX III.

A.

UNITED STATES.

REGULATIONS OF THE SECRETARY OF STATE GOVERNING EXPORT OF NARCOTICS OTHERWISE THAN IN TRANSIT.

Sections 6 and 7 of the Act. of Jan. 17, 1914 read as follows :—

Sec. 6 That hereafter it shall be unlawful for any person subject to the jurisdiction of the United States to export or cause to be exported from the United States, or from territory under its control or jurisdiction, or from countries in which the United States exercises extraterritorial jurisdiction, any opium or cocaine, or any salt, derivative, or preparation of opium or cocaine; to any other country: Provided, That opium or cocaine, and salts) derivatives, or preparations thereof, except smoking opium or opium prepared for smoking, the exportation of which is hereby absolutely prohibited, may be exported to countries regulating their entry under such regulations as are prescribed by such country for the importation thereof into such country, such regulations to be promulgated from time to time by the Secretary of State of the United States.

The Secretary of State shall request all foreign Governments to communicate through the diplomatic channels copies of laws and regulations promulgated in their respective countries which prohibit or regulate the importation of the aforesaid drugs, and when received advise the Secretary of the Treasury and the Secretary of Commerce thereof; whereupon the Secretary of State, the Secretary of the Treasury, and the Secretary of Commerce shall make and publish all proper regulations for carrying the provisions of this section into effect.

Sec. 7 That any person who exports or causes to be exported any of the aforesaid drugs in violation of the preceding section shall be fined in any sum not exceeding \$5,000 nor less than \$50. or by imprisonment for any time not exceeding two years, or both. And one-half of any fine recovered from any person or persons convicted of an offense under any section of this Act may be paid

to the person or persons giving information leading to such recovery, and one-half of any bail forfeited and collected in any proceedings brought under this Act may be paid to the person or persons giving the information which led to the institution of such proceedings, if so directed by the court exercising jurisdiction in the case: Provided, That no payment for giving information shall be made to any officer or employee of the United States.

JOINT REGULATIONS DATED APRIL 26, 1920, OF THE
SECRETARY OF STATE, SECRETARY OF THE TREASURY AND THE
SECRETARY OF COMMERCE, DRAWN UP IN ACCORDANCE WITH THE
ABOVE ACT.

Regulations under the foregoing provisions of law are hereby prescribed as follows:

REGULATION 1.—DEFINITIONS.

(a) The term "opium" shall cover all forms of opium known to the trade, such as gum opium, powdered opium, dearcotized opium, and granular opium, except "smoking opium" and "opium prepared for smoking", the exportation of which the law absolutely prohibits.

(b) The term "cocaine" shall cover all forms of cocaine known to the trade or pharmacy.

(c) The term "preparation" shall mean any product, mixture, or compound containing or representing more than two grains of opium or more than 0.1% of cocaine in one fluid ounce or if a solid or semi-solid preparation in one avoirdupois ounce.

(d) The term "derivative" shall include the following alkaloids, their salts or combinations, obtained either directly or indirectly, and such other derivatives obtained from opium or from cocaine as it may be found necessary to include in the future: Morphine, codeine, dionin, diacetyl morphine, heroin, peronine, their chlorides, sulphates, phosphates, etc., and all mixtures, compounds, or preparations containing more than 1/4 grain of morphine or more than 1/5 grain of heroin or more than 1 grain of codeine in one fluid ounce or if solid or semi-solid in one ounce avoirdupois or more than 0.1% of cocaine or containing any of the foregoing in a sufficient amount to produce its characteristic effect in the usual doses.

(e) The term "export" shall not apply to shipments in transit through the United States under customs bond.

REGULATION 2.

PERMITS AND MARKING OF PACKAGES REQUIRED.

No person shall take out of the United States on his person or in his baggage, or offer to any carrier for transportation out of the United States, nor shall any carrier receive for exportation

or export out of the United States any of the articles, the subject of these regulations, unless and until a permit to export shall have been issued by the proper customs officer and the packages containing the articles marked in accordance with the regulations provided herein.

REGULATION 3.

APPLICATIONS REQUIRED.

Any person desiring to export any of these articles shall present to the nearest Collector of Customs, at least five days before the proposed date of exportation, an application in duplicate for permission to export and shall also submit Shippers' Export Declarations in due form. Such application shall be under oath and shall state all material facts including names, address, and business of the consignors and consignees, names, quantities and ultimate destination of the articles, and whether or not such goods are for consumption in the country to which consigned, the port and probable date of exportation, the name of the exporting carrier and if to be exported by vessel, the name of the vessel.

The applicant shall state also that the packages are marked in accordance with these regulations and shall submit to the collector with such application a certified copy of the license or permit issued in the country of destination permitting importation under said country's regulation, authenticated by the nearest American Consul, or, if no such licenses or permits are issued by the country of destination, such other documentary evidence of compliance with the laws and regulations thereof, authenticated by the nearest American Consul, as would establish the right of the consignee to import such article. For example, if, under the laws and regulations of the country to which the goods are destined, the importation of such goods is limited to registered pharmacists or other class or classes of persons or concerns, the applicant must submit to the Collector of Customs documentary evidence, authenticated as provided for above, that the consignee of the goods is a registered pharmacist or is of a class of persons or concerns authorized to import such goods.

REGULATION 4.

PRODUCTION OF FOREIGN IMPORT LICENSE.

When the laws or regulations of the country of destination as promulgated by the Secretary of State from time to time require a license, or permit, to import an article covered by the regulations

herein and such a license or permit or a duly certified copy thereof, is not produced to the Collector of Customs with the application for permission to export, the collector shall refuse to license the shipment.

REGULATION 5.

COLLECTORS' ACTION UPON THE APPLICATION.

APPEALS TO THE SECRETARY OF THE TREASURY.

Upon receipt of such application, the Collector of Customs shall determine whether it complies with these regulations and whether the shipment appears to comply with the laws and regulations of the country of destination promulgated by the Secretary of State. If the collector shall be of the opinion that the laws and regulations, both of the United States and of the country of destination are complied with he shall stamp both copies of the application and the Shippers' Export Declaration with the word "licensed" and the date of the stamp and affix his official seal thereto. The collector shall retain the original of the application for his files and return the copy to the applicant. If the collector shall decide that the laws and regulations are not complied with he shall refuse to license the shipment and shall return the papers to the applicant with a statement of his reasons therefor, whereupon the applicant may take an appeal to the Secretary of the Treasury whose decision shall be final.

REGULATION 6.

MARKING OF PACKAGES.

Packages containing any of these articles intended for export shall be marked both in English and in the language of the country of destination to show the character of the contents. Such marking shall be on the outside of the packages and in a legible, permanent and conspicuous manner.

REGULATION 7.

SHIPPERS' EXPORT DECLARATIONS.

The reference in the Shippers' Export Declarations to such shipments shall be in a conspicuous manner so as to attract immediately the attention of the customs officer who examines the declaration before clearance and sufficient space should be left under such reference for the collector's license.

REGULATION 8.

OPENING AND INSPECTION OF PACKAGES.

The Collector of Customs may require packages offered for export to be opened and may inspect the contents thereof.

REGULATION 9.

EXPORT TO COUNTRIES NOT REGULATING THE ENTRY OF SUCH ARTICLES, PROHIBITED.

Collectors shall not permit any of the articles covered by the regulations herein to be exported to any of the countries which the Secretary of State in the synopsis of foreign laws and regulations specifies as having no laws governing the importation of opium or other habit-forming drugs; nor shall the collector permit the exportation of any of these articles to any country when it appears from the laws or regulations of such country as promulgated in such synopsis that such article is not provided for or covered by such laws or regulations.

REGULATION 10.

LICENSING OF EXPORTS TO CERTAIN COUNTRIES SUSPENDED.

Pending the promulgation by the Secretary of State of definite information, collectors shall not license articles offered for export to countries from which the Secretary of State has received either no information or information not satisfactory.

REGULATION 11.

SYNOPSIS OF FOREIGN LAWS AND REGULATIONS.

The Secretary of State has promulgated under date of March 1, 1920, a synopsis of laws and regulations of certain countries regulating the entry of these articles and information as to certain other countries and will promulgate from time to time revisions thereof, by which collectors and exporters shall be governed in connection with the regulations herein. The Department of State will furnish the printed copies of such synopsis and of the revisions thereof. Collectors shall keep on file copies of these publications and permit prospective shippers to consult the same.

REGULATION 12.

VIOLATIONS OF THE LAW TO BE REPORTED.

Collectors shall report to the United States Attorney and to the Secretary of the Treasury any violations of the law which they may discover.

REGULATION 13.

ALTERATIONS AND AMENDMENTS OF REGULATION.

These regulations may be altered or amended at any time without previous notice with the concurrence of the Secretary of State, the Secretary of the Treasury, and the Secretary of Commerce.

REGULATION 14.

EXPORTS FROM THE PHILIPPINE ISLANDS, GUAM, TUTUILA, AND THE VIRGIN ISLANDS.

These regulations are hereby extended so far as applicable to articles intended for export from the Philippine Island, Guam, Tutuila, and the Virgin Islands.

REGULATION 15.

TIME OF TAKING EFFECT.

These regulations shall take effect on May 1, 1920.

BAINBRIDGE COLBY,
Secretary of State.

D. F. HOUSTON,
Secretary of the Treasury.

JOSHUA W. ALEXANDER,
Secretary of Commerce.

Washington, D. C.
April 26, 1920.

APPENDIX III.

B.

THE RAINEY DRAFT ACT. FEB. 17, 1921.

A BILL

To amend section 6 of an Act approved January 17, 1914, entitled "An Act to amend an Act entitled 'An Act to prohibit the importation and use of opium for other than medicinal purposes,' approved February 9, 1909."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of an Act approved January 17, 1914, entitled "An Act to amend an Act entitled 'An Act to prohibit the importation and use of opium for other than medicinal purposes,' approved February 9, 1909," be amended to read as follows:

"SEC. 6. That hereafter it shall be unlawful for any person subject to the jurisdiction of the United States to export, or cause to be exported from the United States or from territory under its control or jurisdiction, or from countries in which the United States exercises extra-territorial jurisdiction, any opium, or cocaine, or any salt, derivative, or preparation of opium or cocaine to any other country: *Provided*, That opium or cocaine, and salts, derivatives, or preparations thereof, except smoking opium or opium prepared for smoking, the exportation of which is hereby absolutely prohibited, may be exported to countries which have ratified and become parties to the 'convention and final protocol between the United States and other powers for the suppression of the abuse of opium and other drugs' commonly known as the Hague Convention of 1912, if such countries shall have instituted and shall maintain in conformity with article 13 of that convention a system, which shall be deemed adequate by the Secretary of State, the Secretary of the Treasury, and the Secretary of Commerce of permits or licenses for the control of imports of such drugs: *And provided further*, That such exports shall be consigned only to an authorized permittee and upon the furnishing of adequate proof that the drug to be exported is

to be applied exclusively to medical and legitimate uses within the country to which exported, that it will not be re-exported, and that there is an actual shortage of and a demand for the drug for medicinal purposes within the country to which the export is consigned.

“And the importation of opium or cocaine or any salt, derivative, or preparation of opium or cocaine hereafter is hereby declared to be unlawful, provided that such amounts of crude opium, and cocoa leaves, or other crude narcotics as may be found necessary by the Secretary of State, the Secretary of the Treasury, and the Secretary of Commerce to provide for medical and legitimate uses may be imported under rules and regulations to be prescribed by the Secretary of State, the Secretary of the Treasury, and the Secretary of Commerce.

“The privilege of ‘in transit’ shipments is hereby withdrawn in so far as it applies to shipments of opium, cocaine, and their above-named salts, derivatives, and preparations, unless such shipments are approved by the Secretary of State, the Secretary of the Treasury and the Secretary of Commerce.

“The Secretary of State shall request all foreign governments to communicate through the diplomatic channels copies of laws and regulations promulgated in their respective countries which prohibit or regulate the importation and shipment ‘in transit’ of the aforesaid drugs, and when received advise the Secretary of the Treasury and the Secretary of Commerce thereof; whereupon the Secretary of State, the Secretary of the Treasury, and the Secretary of Commerce shall make and publish all proper regulations for carrying the provisions of this section into effect.”

APPENDIX III.

C.

THE MILLER DRAFT ACT. JAN. 17, 1921.

A BILL

To amend section 6 of an Act approved January 17, 1914, entitled "An Act to prohibit the importation and use of opium for other than medicinal purposes," approved February 9, 1909.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of an Act approved January 17, 1914, entitled "An Act to prohibit the importation and use of opium for other than medicinal purposes," approved February 9, 1909, be amended to read as follows :

"SEC. 6. That hereafter it shall be unlawful for any person subject to the jurisdiction of the United States to export or cause to be exported from the United States, or from territory under its control or jurisdiction, or from countries in which the United States exercises extraterritorial jurisdiction, opium, or cocaine, or any salt, derivative, or preparation of opium or cocaine to any other country : *Provided*, That opium or cocaine, and salts, derivatives, or preparations thereof, except smoking opium or opium prepared for smoking, the exportation of which is hereby absolutely prohibited, may be exported to countries which have ratified and become parties to the 'convention and final protocol between the United States and other powers for the suppression of the abuse of opium and other drugs' commonly known as the Hague Convention of 1912, if such countries shall have instituted in conformity with article 13 of that convention a permit or license system for the control of imports of such drugs : *And provided further*, That such exports shall be consigned only to an authorized permittee and upon the furnishing of adequate proof that the drug to be exported is to be used exclusively for medicinal purposes within the country to which exported, that it will not be reexported, and that there is an actual shortage of and a demand for the drug for medicinal purposes within the country to which the export is consigned.

"And the importation of opium or cocaine or any salt, derivative, or preparation of opium or cocaine hereafter is hereby declared to be unlawful, provided that such amounts of crude opium, and cocoa leaves, or other crude narcotics as may be found necessary by the Secretary of the Treasury and the Secretary of Commerce to provide morphine, cocaine, or other needed medicinal preparations for legitimate uses may be imported under rules and regulations to be prescribed by the Secretary of the Treasury and the Secretary of Commerce.

"The privilege of 'in transit' shipments is hereby withdrawn in so far as it applies to shipments of opium, cocaine, and their above-named salts, derivatives, and preparations, unless shipments are approved by the Secretary of State, the Secretary of the Treasury, and the Secretary of Commerce.

"The Secretary of State shall request all foreign governments to communicate through the diplomatic channels copies of laws and regulations promulgated in their respective countries which prohibit or regulate the importation and shipment 'in transit' of the aforesaid drugs, and when received advise the Secretary of the Treasury and the Secretary of Commerce thereof; whereupon the Secretary of State, the Secretary of the Treasury, and the Secretary of Commerce shall make and publish all proper regulations for carrying the provisions of this section into effect."

APPENDIX IV.

*Laws and Regulations of Foreign Countries Concerning the Importation of Opium or Cocaine and Salts, Derivatives and Preparations thereof.**

ARGENTINA.

DECREE ISSUED BY THE ARGENTINE GOVERNMENT MAY 17, 1919.

"ARTICLE 1. The customs will not permit the introduction into the country of opium and its preparations, cannabis indica, morphine and its salts, cocaine and its salts, except through drug-stores and pharmacies, and after intervention by the National Department of Hygiene, which will keep a book in which will be recorded the name and domicile of the importer, kind and quantity of the substances imported, and the date of their importation. In certain cases it may, if it deem it necessary, have an analysis made of these bodies before permitting their importation."

AUSTRIA.

NOTE FROM THE AUSTRIAN FOREIGN OFFICE, NOVEMBER 9, 1914.

"According to Section 3 of Article 18, of the Rules of Procedure to the customs laws, the importation of medical preparations and remedies of every description is prohibited, 'when such are not admitted by reason of a special permit issued by the civil authorities or not imported for druggists, scientific and medical institutions or for such establishments licensed as wholesale drug dealers.'"

NOTE FROM THE MINISTER OF FOREIGN AFFAIRS, NOVEMBER 9, 1916.

"The imperial and Royal Ministry of Foreign Affairs begs to add that, by reason of war decrees, both the exportation and the transit of opium, opiates, opium alkaloids, cocaine, and its salts, out of or through Austria-Hungary are at present prohibited."

BOLIVIA.

NOTE FROM THE BOLIVIAN FOREIGN OFFICE, MAY 11, 1917.

"The importation of all these substances is permitted, provided they are destined to pharmaceutical establishments well

*Furnished to the International Anti-Opium Association by courtesy of American Legation Peking.

known in the country, with the object of being employed in exclusively medical uses, as they actually constitute precious therapeutic agents, and serve even to prevent certain affections. In spite of the fact that there is nothing concretely statuted in our legislation in this respect, this exclusive importation accorded to the mentioned establishments, rises from the prescriptions of the Law of December 31, 1905, which forbid the importation of all substances that may be harmful to health, the Customs' Authorities being empowered to destroy them in case of necessity."

BRITISH EMPIRE.

UNITED KINGDOM.

*"The Cocaine and Opium (Prohibition of Import) No. 3
Proclamation, 1918, Dated June 25, 1918.*

BY THE KING :

"A PROCLAMATION FOR PROHIBITING THE IMPORTATION OF COCAINE AND
OPIUM INTO THE UNITED KINGDOM.

"George R. I.

"Whereas by Section forty-three of the Customs Consolidation Act, 1876, it is provided that the importation of arms, ammunition, gunpowder or any other goods may be prohibited by Proclamation :

"And whereas it is expedient that the importation into the United Kingdom of cocaine or of opium should be prohibited except as hereinafter provided :—

"Now, therefore, We, by and with the advice of Our Privy Council in pursuance of the said Act and of all other powers enabling Us in that behalf, do hereby proclaim, direct and ordain as follows :—

"As from and after this date, subject as hereinafter provided, all cocaine and all opium shall be prohibited to be imported into the United Kingdom :

"Provided always, and it is hereby declared, that nothing in this Proclamation shall apply to cocaine or opium imported under the licence of one of Our Principal Secretaries of State and in accordance with the provisions of such licence.

"The word 'Cocaine' includes ecgonine, and any substance, whether preparation, admixture, extract or otherwise, containing 0.1 per cent (one part in a thousand) or more of cocaine or ecgonine, or of any salt or derivative thereof.

"The word 'opium' means raw opium, powdered or granulated opium, or opium prepared for smoking, and includes any solid or semi-solid mixture containing opium.

"The Cocaine and Opium (Prohibition of Import) No. 2 Proclamation, 1916, is hereby revoked."

APPENDIX IV.

ANTIGUA.

“1. This Ordinance shall be the Opium Ordinance 1913.”

“2 * * * Opium when used without a qualifying word shall be taken to include ‘Raw Opium,’ ‘Medicinal Opium’, Morphine, Heroin, Cocaine and ‘similar drugs’.

“3. It shall not be lawful to import any prepared opium.

“5. Any opium imported into the presidency shall be deposited at the risk, and cost and peril of the importer and consignee in a store appointed by the Governor for that purpose.

“6. No opium shall be withdrawn or delivered from the store unless upon written authority of the Chief Medical Officer or another authorized by him.”

AUSTRALIA.

“Importation of Opium for Medicinal Purposes Only.
(Tariff Item 293) :

“By-law operates on and from 9th August, 1907. Opium for medicinal purposes may be imported subject to Item 293 of the Customs Tariff 1908 and in accordance with the following conditions :

“1. The Opium shall not be suitable for smoking.

“2. These By-laws shall apply to Opium in any form capable of conversion into Smoking Opium.

“3. Articles certified to by the official analyst as being incapable of conversion into Opium suitable for smoking may be delivered without condition.

“4. Opium shall only be imported by persons licensed in accordance with this By-law.

“5. A license to import Opium under these By-laws may be granted by the Collector of Customs for a State to any legally qualified Medical Practitioner or person lawfully carrying on business as a Wholesale or Manufacturing Chemist or Druggist or Pharmaceutical Chemist.

“6. A license to import Opium shall be for a period of one year, and may be renewed from time to time for a like period, and may be in accordance with the following form :

"7. Before granting any License to import Opium, the Collector must be satisfied by Statutory Declaration that the applicant for such License is a legally qualified Medical Practitioner or a person lawfully carrying on business as a Wholesale or Manufacturing Chemist or Druggist or Pharmaceutical Chemist.

"Proclamation (December 29, 1905) :

"1. The opium shall only be imported for medicinal use, and by persons licensed, in accordance with this Proclamation, to import opium.

"2. A license to import opium may be granted by the Collector of Customs for a State to any legally qualified medical practitioner or person lawfully carrying on business as a wholesale manufacturing chemist or druggist or pharmaceutical chemist.

"3. A license to import opium shall be for a period of one year, and may be renewed from time to time for a like period, and may be in accordance with the following form: * * *

BAHAMA ISLANDS.

"1. This Act is cited as the Opium Act 1913.

"2. * * * Opium when used without a qualifying word shall be taken to include 'Raw Opium,' 'Medicinal Opium,' Morphine, Heroin, Cocaine and 'similar drugs.'

"3. It shall not be lawful for any person other than a Medical Practitioner, Dentist, Veterinary Surgeon, licensed Druggist or a person given special permission by the Governor in Council by order in Council, to import into the Colony any opium or prepared opium."

BARBADOS.

"1. This Act may be cited as the Opium Act 1914.

"2. * * * Opium when used without a qualifying word shall be taken to include 'Raw Opium,' 'Medicinal Opium,' Morphine, Heroin, Cocaine and 'similar drugs.'

"3. It shall not be lawful to import into the island any prepared opium, nor shall it be lawful except upon written authority of the Governor in Executive Committee to import any raw opium in this island.

"4. Opium shall not be imported into this island by any persons except Medical Practitioners, Druggists, Dentists, Veterinary Surgeons, the Barbados General Hospital, and the Parochial Dispensaries."

BERMUDA ISLANDS.

"Opium Act of 1914.

"2. * * * Opium when used without a qualifying word shall be taken to include 'Raw Opium,' 'Medicinal Opium,' Morphine, Heroin, Cocaine and 'similar drugs.'

"3. It shall not be lawful to import into these islands any prepared opium.

"4. It shall not be lawful to import any opium except by sea.

"5. All opium imported into these islands shall be deposited at the cost and risk of the importer or consignee in a store appointed under this Act.

"6. No opium shall be withdrawn or delivered from a store except by written authority of the Medical Officer of Health or some medical officer authorized by him."

BRITISH GUIANA.

"1. This Ordinance shall be known as the Opium Ordinance 1913.

"2. * * * Opium when used without a qualifying word shall be taken to include 'Raw Opium,' 'Medicinal Opium,' Morphine, Heroin, Cocaine and 'similar drugs.'

"3. It shall not be lawful to import any prepared opium, nor to manufacture, buy and sell, barter or use any prepared opium in the colony.

"4. It shall not be lawful to export any prepared opium from the colony.

5. It shall not be lawful to import any opium except by sea.

"6. All opium imported into British Guiana shall be deposited at the cost, peril and risk of the importer or consignee in the Colonial Bonded Warehouse.

"7. No opium shall be withdrawn or delivered except upon written authority of the Surgeon General or a medical officer authorized by him."

BRITISH HONDURAS.

"1. This Act shall be known as the Opium Ordinance 1913.

"2. * * * Opium when used without a qualifying word shall be taken to include 'Raw Opium,' 'Medicinal Opium,' Morphine, Heroin, Cocaine and "similar drugs."

"5. It shall not be lawful to import into the colony any prepared opium.

"6. It shall not be lawful to import any opium into the colony except by sea.

"7. All opium imported into the colony shall be deposited at the cost, risk and peril of the person or persons importing the same, in such store as shall be appointed by the Government for that purpose.

"8. No opium shall be withdrawn or delivered from a store except upon written authority of the Principal Medical Officer or another authorized by him.

CANADA.

"Chapter 25.

"An Act to amend the Opium and Drug Act.

(Assented to 10th November, 1919)

"His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

"1. (1) Every person who imports into or exports from Canada any coca leaves, cocaine or any of their salts or preparations, or any opium or its preparations, or any opium alkaloids or their salts or preparations, without first obtaining a license therefor from the Minister who is presiding over the Department of Health, shall be guilty of an offence, and shall be liable upon summary conviction to a fine not exceeding one thousand dollars and costs, or to imprisonment for a term not exceeding one year, or to both fine and imprisonment.

"(2) This Act shall be read as one with The Opium and Drug Act, chapter seventeen of the statutes of 1911 and anything in the said Act which is inconsistent with this Act is repealed.

"2. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council."

CEYLON.

"Ordinance No. 5 of 1910. An Ordinance to amend the Law with regard to the Importation, Sale, and Distribution of Opium, and to prohibit the Possession and Sale of Bhang and Ganja: (Assented to 2nd June, 1910.)

"4. (1) From and after the commencement of this Ordinance it shall be unlawful—(a) for any person, other than a public officer specially authorized by the Governor for that purpose, to import any opium into Ceylon; or (b) subject to the exceptions mentioned in this Ordinance, for any person, other than an authorized vender, to sell, barter, or in any manner dispose of opium to any other person.

"9. The Governor may by writing under the hand of the Colonial Secretary from time to time specially authorize one or more officers to purchase and import on behalf of the Government such quantity of opium as may be necessary for the medicinal requirements of the Colony, and to supply opium to registered consumers and registered vedaralas. The opium so imported shall be kept in such stores, and shall be in charge of such officers, and subject to such regulations as the Governor shall from time to time appoint."

GRENADA.

"Opium Ordinance 1912.

"1. * * * Opium when used without a qualifying word shall be taken to include 'Raw Opium,' 'Medicinal Opium,' Morphine, Heroin, Cocaine and 'similar drugs.'

"2. It shall not be lawful to import into the colony any prepared opium.

"3. All opium imported into the Colony shall be deposited at cost, risk, and peril of person importing same, in such store, as shall be appointed by the Governor for that purpose.

"4. No opium shall be delivered or withdrawn from a store except upon the written authority of the Medical Officer of the District in which the store is situated."

JAMAICA.

"Jamaica--Law 15 of 1913.

"2. * * * Opium when used without any qualifying epithet shall be taken to include 'Raw Opium,' 'Medicinal Opium,' Morphine, Heroin, Cocaine and 'similar drugs.'

"3. It shall not be lawful to import into this island any prepared Opium or Ganga (Cannabis Sativa).

"4. All Opium imported into this Island shall be deposited at the cost, risk and peril of the person or persons importing the same, in such stores as shall be appointed by the Governor for that purpose.

"5. No opium shall be delivered or withdrawn from a store except upon the written authority of the Superintending Medical Officer or medical officer by him authorized."

NEW ZEALAND.

Despatch from the American Consulate-General at Auckland, May 18, 1914.

"There is no special legislation in New Zealand dealing with cocaine or preparations thereof."

"Opium, 1908, No. 137.

"2. (1) It is unlawful to import into New Zealand opium in any form suitable for smoking.

"3. (1) It is unlawful to import into New Zealand opium in any form which, though not suitable for smoking, may yet be made suitable, unless the importer holds a permit so to do issued by the Minister of Customs."

SAINT LUCIA.

"Opium Ordinance, 1913.

"2. * * * Opium when used without any qualifying epithet shall be taken to include 'Raw Opium,' 'Medicinal Opium,' Morphine, Heroin, Cocaine and 'similar drugs.'

"4. It shall not be lawful to import into the Colony any prepared opium.

5. All opium imported into the Colony shall be deposited, at the cost, risk and peril of the person or persons importing the same, in such store as shall be appointed by the Governor for that purpose.

"6. No opium shall be delivered or withdrawn from a store except upon written authority of the Medical Officer of the district in which the store is situated."

ST. VINCENT.

"(Opium Law).

"1. * * * Opium when used without a qualifying word shall be taken to include 'Raw Opium,' 'Medicinal Opium,' Morphine, Heroin, Cocaine and 'similar drugs.'

"2. It shall not be lawful to import any prepared opium.

"3. All opium imported shall be deposited at the risk and cost of the importer or consignee in a store appointed by the Governor for that purpose.

"4. No opium shall be delivered or withdrawn from a store except upon written authority of the Medical Officer of the district in which the store is situated."

TRINIDAD.

"1. This Ordinance shall be known as the Opium Act 1913.

"2. * * * Opium when used without a qualifying word shall be taken to include 'Raw Opium,' 'Medicinal Opium,' Morphine, Heroin, Cocaine and 'similar drugs.'

"3. It shall not be lawful to import prepared opium.

"4. All opium imported into the colony shall be deposited at the cost, risk or peril of the persons importing it, in such store as shall be appointed by the Governor for that purpose.

"5. No Opium shall be delivered or withdrawn from a store except on the written authority of the Surgeon General or a Medical Officer authorized by him."

UNION OF SOUTH AFRICA.

"Section 24 of the Customs Management, Act No. 9 of 1913.

"The Governor-General may, by proclamation in the Gazette, impose restrictions on the importation of Opium or extract of Opium into the Union, may specify the classes of persons by whom the same may be imported, and may make regulations for effectually carrying out the restrictions so imposed.

"Proclamation No. 167, 1913.

"1. From and after the date of this Proclamation no person (other than a person registered under the Union Laws as a Medical Practitioner, dentist, or chemist and druggist, and in actual practice), shall import into the Union any opium or extract of opium and no such excepted person shall import any such substance unless thereto authorized by a permit stating the quantity which may be imported, and signed by the Secretary for the Interior, or an officer duly authorized by him, and such permit shall be in the form and shall contain such conditions as may be prescribed by regulations and shall be produced to the proper officer of Customs either before or at the time of the importation.

"2. In the Transvaal Province the permit shall not be granted to any person other than a person registered under the Medical, Dental and Pharmacy Ordinance 1904 as a chemist and druggist.

"Section 3 of the Opium Trade Regulation Ordinance No. 25 of 1906 (Transvaal).

"1. From and after the coming into operation of this Ordinance no person (other than a person registered under the Medical, Dental and Pharmacy Ordinance 1904 as a chemist and druggist) shall import into this Colony any opium or extract of opium, and no such registered chemist and druggist shall import any such substances unless thereto authorized by a permit stating the quantity which may be imported, and signed by the Colonial Secretary; and such permit shall be in the form and shall contain such conditions as may be prescribed by Regulations."

"Schedule. Regulations under the Opium Trade Regulation Ordinance, 1906.

"3. The permit for the importation of Opium and Extract of Opium into this Colony required by registered Chemists and Druggists under Section 3 of the Ordinance shall be in the form set forth in Schedule B hereto.

"5. Every permit to import Opium or Extract of Opium issued under Section 3 of the Ordinance shall expire six months after the date of the issue thereof.

"6. Every permit to import Opium or Extract of Opium issued under Section 3 of the Ordinance shall be surrendered by the importer to the Customs Officer through whose office such Opium or Extract of Opium is cleared, and the Customs Officer shall detain any such substance until such permit has been surrendered to him."

BULGARIA.

Note from the Bulgarian Foreign Office, November 13, 1919.

"No special law exists regulating this matter. The conditions of importation and the sale of poisonous products or those of a violent action, in which category come opium and cocaine, are the objects of articles 166 and 167 of the law on Public Health. According to article 166 of this law only pharmacists and druggists have the right to put on the commercial market poisonous products or those producing violent action, which apply to their industry.

* * * According to article 167 of the same law, medicines and poisonous products or those producing violent action can be imported into the country solely by the pharmacists and druggists. The State Administration, the departments and the communes have themselves, however, also the right to import medicines and antiseptic products for their own use. Besides these, all factories or workshops can be authorized to import these products for their industries; and in order to do this they must produce a certificate delivered to them by the competent authorities mentioning the materials of which there is need for their industries."

CHILE.

Note from the Chilean Foreign Office, October 31, 1916.

"According to customs laws now in force, opium and its derivatives may be imported into the country in the ordinary manner prescribed for drugs or pharmaceutical preparations, that is, in accordance with Section 4 of Article 5 of the Customs Law No. 3066."

Customs Law No. 3066, Section 4 of Article 5.

"Drugs or pharmaceutical preparations the formulae for which are not printed in intelligent form on the stickers or wrappers, except where the importer registers the formulae in the Institute of Hygiene in conformity with the laws or regulations prescribed in such cases, and pays double the amount of duty provided for in the Tariff.

"The President of the Republic may prohibit also the importation of beverages, foods, drugs, pharmaceutical preparations, and any other substances or products which in the judgment of the Superior Board of Health may be injurious to the health."

CHINA.

*Extract from the Provisional Law Code of the Republic of China.
Penalties Relating to Opium: Section 21.*

"ART. 266. Manufacturing opium, or selling, keeping with intent to sell, or importing opium from foreign countries will be punished by a term of banishment of the 3rd to the 5th grade, and by a fine of not more than \$500.

"ART. 267. Manufacturing articles for use in smoking opium, or selling or keeping the same with intent to sell, or importing the same from foreign countries will be punished by a term of banishment of the 4th or a lower grade, or by imprisonment at hard labor.

"ART. 268. Customs officials or employees who import opium from foreign countries or articles for use in smoking opium, or who permit other persons to import the same will be punished by a term of banishment of the 2nd or the 3rd grade, and by a fine of not more than \$1,000.

Regulations restricting the importation of morphia, cocaine and similar substances:

"ART. 1. The procedure to be followed by duly qualified medical practitioners desiring to import morphia, cocaine and heroin, or syringes, needles and such like instruments for their injection or use is as follows:

"(a) If of foreign nationality they must sign a bond before their Consul stating the quantities to be imported and their values, the place whence arriving and the method of importation, whether by steamer (the name of which must be given), rail or post, and guaranteeing that these articles will be employed for medical purposes only, either in their private practice or in some specified hospital. Upon the Consul forwarding the bond to the Customs House a special landing permit will be issued after payment of duty by the owner of the goods in accordance with the regulations.

"(b) If of Chinese nationality they must sign a bond at the Office of the Commissioner of Customs, which bond must be witnessed and sealed by a substantial shopkeeper as surety. It must state the quantities to be imported and their values, the place whence arriving and the method of their importation, whether by steamer (the name of which must be given), rail, or post, and guaranteeing

that these articles will be employed for medicinal purposes only, either in their private practice or in some specified hospital. The Commissioner of Customs will then retain the bond and will issue a landing permit on payment of the duty by the owner of the goods in accordance with the regulations.

“ART. 2. The procedure to be followed by foreign drug stores duly authorized to make up prescriptions desiring to import morphia, cocaine, heroin, or instruments for their injection or use is as follows :

“(a) If managed by foreigners the latter must sign a bond at their Consulate stating the quantities to be imported and their values, the place whence arriving and the method of their importation, whether by steamer (the name of which must be given), rail or post, and guaranteeing that these articles will be used exclusively in the compounding of prescriptions or sold in small quantities only on the requisition of a duly qualified medical practitioner. Upon the Consul forwarding the bond to the Custom House a special landing permit will be issued after payment of the duty by the owner of the goods in accordance with the regulations.

“(b) If managed by Chinese subjects the latter must sign a bond at the office of the Commissioner of Customs, which bond must be witnessed and sealed by a substantial shopkeeper as surety. It must state the quantities to be imported and their values, the place whence arriving and the method of importation, whether by steamer (the name of which must be given), rail, or post, and guaranteeing that these articles will be used exclusively in the compounding of prescriptions or sold in small quantities only on the requisition of a duly qualified medical practitioner. The Commissioner of Customs will then retain the bond and will issue a landing permit upon the payment of the duty by the owner of the goods and in accordance with the Regulations.

“ART. 8. When civil hospitals established by Government in any province, military, naval hospitals and surgeons, or medical colleges of any kind, require morphia, cocaine or heroin or instruments for their injection or use for medicinal or scientific purposes, the proper Government authorities, to whose control they are subject must inform the Customs Superintendent in a sealed despatch (which takes the place of a bond) stating the quantities which it is desired to import, their value, the place whence arriving and the method of importation and guaranteeing that such drugs or instruments will be used exclusively for medicinal or scientific purposes. The Superintendent will then apprise the customs who will release the articles concerned upon the presentation by the importer of the *huchao* issued by the authorities referred to above, and

after the verification of goods and the payment of duty. In other respects the provisions of the other regulations will apply.

"ART. 9. Duty on morphia, cocaine or heroin and instruments for their injection or use imported under the above provisions will be levied at the rate of 100 per cent ad valorem."

Note from the Chinese Foreign Office, April 17, 1919:

"The Anglo-Chinese Opium Agreement having now expired, henceforth the importation of Indian opium into China is likewise prohibited. If there are any American merchants engaged in the opium trade, Your Excellency is requested to notify them that they may not import Indian opium into China.

"Furthermore it should be clearly stated that all opium of whatever origin is embraced within the scope of the prohibition of import."

COLOMBIA.

Note from the Colombian Foreign Office, November 19 1919:

"According to Article I of Law 78 of 1916, opium, considered as usable in medicine, which paid twenty-five cents per kilo duties of importation, was raised or increased to \$2.50 per kilo. With reference to other soporific drugs, no change whatever has been made in the duties fixed by Law 117 of 1913 over Customs tariff. These articles, considered as applicable in medicine, are to be found in their respective group, which is the 14th in this Tariff, beginning on page 195 of the Custom Code of the Republic."

COSTA RICA.

Translation of Law of January 9, 1907, covering the importation and sale of Opium and its Alkaloids:

"No. 30. The Constitutional Congress of the Republic of Costa Rica. At the initiative of the Executive and in use of its Constitutional powers, decrees:

"ART. 1. The owners of drug stores and the physicians who keep medicine chests may import opium and its alkaloids, but this shall be done by means of the Executive and the previous deposit in the National Treasury of the value of the order, expenses and customs duties.

"The importers of such articles may not sell them by wholesale except to owners of drug stores and to the physicians for their medicine chests. They may not sell them at retail unless they have been duly authorized to conduct that special business.

"ART. 2. * * * The importation of hypodermic outfits of whatever class is not permitted except to persons authorized by Article 1 of this law and under the same restriction. * * *

"ART. 4. The persons authorized to import opium or its alkaloids must when they receive any quantity advise it to the Governor of the province or district indicating the particular article and the quantity imported.

"ART. 5. The importers of said articles as well as the apothecaries and pharmacists must each have a special book in which must be placed the quantity received. They will note the quantities they sell and to whom and the prescriptions which have been filled with name of the drug, the quantity, person to whom delivered, and name of physicians prescribing. * * *

CUBA.

Law of July 25, 1919, Covering the Regulation and Distribution of Narcotics.

"ART. 1. Only pharmacists and druggists legally established within the national territory, with a public or private office belonging to a hospital, clinic, sanitarium, or other establishment devoted to the treatment of sick, may import or produce the alkaloids and salts thereof enumerated below, whether in substance or in any of the pharmaceutic forms determined in the following article: Opium, indian hemp, chloroform, sulphuric ether, hydrate of chloral, morphine, narceine, heroin, dionine, poronine, cocaine, novococaine, tropococaine, eucaine, stovaine, mariguara, and others equally injurious to the health and recognized as such by the department of health and beneficence, in accord with the national board of health and beneficence.

"ART. 12. The sending by mail of the aforementioned products is prohibited except by pharmacists, druggists, or professional men authorized to acquire them, after fulfilling the requirements prescribed by the proper regulations.

"ART. 13. Every importer of the products enumerated in arts. I and II is obliged to keep a book showing in chronological order the entries and sales of the same, stating the name and residence of the purchasing pharmacists or druggists."

CZECHOSLOVAKIA.

The Czechoslovak Government has advised (October 13, 1919).

"Permission to import habit forming drugs given only to authorized dealers such as druggists, apothecaries, chemists or to persons in possession of licenses and procuring such drugs which

are issued by the district magistrates. Names of authorized dealers must be announced annually to scientific institutions and schools. These licenses are issued either in individual instances, or for a procurement for three years. It is also necessary at present time to secure in addition an import license from state export and import commission."

DENMARK.

Note from the Danish Ministry of Justice, February 27. 1917.

"By a law, dated August 1, 1914, in regard to the regulation of drugs, a copy of which is enclosed herewith, the importation into this country of quantities not exceeding Kr. 200 is reserved to druggists, wholesale dealers, merchants and manufacturers, and as far as opium is concerned also to dealers in chemicals. According to Article 1, Section 2, it is made a condition on the party in question (except druggists) to sign a declaration under oath that the goods will only be sold to other persons possessing the statutory license, or to persons applying them in connection with the production of their manufacture. The custom authorities should see that these regulations are complied with in so far as packages are concerned."

DOMINICAN REPUBLIC.

*Military government of Santo Domingo. Executive order No. 373.
December 17, 1919.*

LAW ON NARCOTIC DRUGS.

ART. 1. From the date on which this law goes into force it shall be unlawful for any person or organization to import, produce manufacture, compound, deal in, sell, prescribe, administer, distribute, give away, or have in his possession any of the narcotic drugs mentioned in this law, unless he has been excepted by the said law and has obtained and paid for a certificate of registration for these purposes, in accordance with the provisions of this law, and unless he has inscribed before the proper collector of internal revenues his name, line of business, and place thereof (office, house, store, etc.) it being necessary to make such inscription in accordance with the requirements of the director general of internal revenues.

ART. 3. For the purposes of this law, and with the exceptions established, the following shall be understood to be "Narcotic Drugs;":

- a. Raw or refined opium in all its forms.
- b. All derivatives, alkloids, or salts of opium, or any derivative, compound, preparation, or synthetic substitute thereof, such as morphine, narceine, codeine, heroine, dionine, peronine, etc.

c. Cocaine and its salts derivates, including novocaine, eucaïne alpha or beta, acoïne, and every other salt, derivate, or synthetic substitute thereof such as estovaine, etc.

d. Hydrate of chlooral and any derivate, compound, or preparation thereof.

ART. 7. Importers of any of the narcotic drugs specified in Art. 3 * * * shall present to the collector of customs of the port or place of entry, and before withdrawing the drugs in question from said custom house, a report signed by the importer or his authorized agent and containing the following data :

a. Name and address of the importer, and the number of his certificate of inscription for narcotic drugs.

b. Date on which the products were received, and number of the vessel or carrier thereof.

c. Name and quantity of the narcotic drugs.

d. Name of the organization from which the narcotics were bought.

e. Kind of receptacle (bottle, tin, etc.).

f. Serial number of the order of purchase.

ECUADOR.

"The Congress of the Republic of Ecuador decrees: (October 8, 1916.)

ART. 1. Trade in raw opium, medicinal opium, its alkalies, salts and chemical derivatives, and in cocaine and its salts, is limited exclusively to the proprietors of pharmacies and of hospitals, who will previously be duly authorized by the respective Chief of Police, after declaration in writing and under signature that the said drugs are to be used for therapeutical purposes.

ART. 2. The proprietors of pharmacies and the directors of hospitals authorized in accordance with the preceding article to deal in raw opium, medicinal opium, its alkalies, salts and chemical derivatives, and in cocaine and its salts, and in prepared opium, are obliged to present the permits referred to in said article each time they have occasion to apply to the Custom House for the release of such drugs, and without said permits the drugs will not be released. They are also obliged to enter the sales, purchases and other uses they make of these drugs, in a special register paged and subscribed by the respective Chief of Police. This register will be at the disposition of the Chief of Police or any of his subordinates at any time that he or they may require it. Any omission or deficiency found in said register will be punished by fines of from fifty to five hundred sucres, which will be imposed by the respective Chief of Police, and the product of such fines will be used in primary instruction in the locality in which the fines are imposed.

"For the collection of a fine of this character the authority which imposes it will give immediate notice thereof to the respective Collector of Public Instructions.

"ART. 3. The importation of raw opium, of medicinal opium, its alkalies, salts and chemical derivatives, and of cocaine and its salts, is limited to the ports of Esmeraldas, Bahia de Caraquez, Manta, and Guayaquil. The exportation of these substances is prohibited in all the ports of Ecuador."

EGYPT.

Decree Regulating the Practice of Pharmacy
(September 15, 1904).

"Title 2 of the Sale of Poisonous Substances :

"ART. 2. Poisonous substances set forth in the first table here annexed, arriving at the Customs, will be kept apart from other merchandise, they will only be delivered to persons in the possession of a written authorization, general or special, from the Sanitary Administration or those having a power of attorney from persons having obtained this authorization. This authorization will no longer be necessary for druggists or others authorized to sell these substances.

"ART. 12. All persons desiring to engage in commerce in one or several of the poisonous substances enumerated in the second table here annexed, should beforehand obtain the necessary authorization from the Ministry of the Interior.

"This authorization will be granted upon the proposal of the Director General of the Sanitary Service before whom the petitioner should prove that he knows how to read and write ; that he knows the nature of the dangerous substances which he proposes to deal in and that he is able to distinguish one from the other.

"The request for this authorization should be accompanied by a certificate of identity and good character, as mentioned in article 1."

FRANCE.

Law of July 12, 1916.

"ART. 1. The poisonous substances are, with regard to their importation, purchase, sale, retention and use, subject to distinct régimes according to their classification in Tables A, B. and C attached to the present decree. (Opium, cocaine and their derivatives are included in Table B.)

"ART. 2. Whoever wishes to engage in the commerce of one or more of the substances classified in Table A, or to maintain an industry which necessitates their employment, is obliged to make previously a declaration before the Mayor of the community in which his establishment is situated; at Paris and in the jurisdiction of the Prefecture of the Police, the declaration must be made at the said Prefecture.

"ART. 31. Importers, and the domestic purchasers of the substances classified in Table B, chemists, manufacturers and commission merchants who wish to engage in the commerce of the said substances, or to transform them in view of sale, must make a special declaration in conformity with the conditions provided for in Article. 2.

"ART. 33. Importers must obtain from the office of the Customs House by which the substances were entered a Customs House permit authorizing the conveyance of goods under bond to other warehouses, after giving bond for the payment of the duty on which will be indicated the quantities imported and each of the said substances, as well as the name and address of the consignee or consignees. * * *"

TABLE B.

"Opium, raw and medicinal.

Extracts of opium.

Morphine and its salts.

Diacetylmorphine and its salts.

Alkaloids of opium (with the exception of codeine, its salts and derivatives).

Cocaine, its salts and derivatives.

Haschich and its preparations."

GUATEMALA.

Note from the Guatemalan Foreign Office, October 7, 1919.

"I have the honor to reply to your note of the 13th instant, informing you that, to date, no special orders have been dictated regarding the importation of opium, cocaine and its derivatives. The only restrictions existing are those concerning the importation of all drugs or medicines established by the Pharmacy Law, that is, that they may be imported only by persons who have pharmacies or drug stores legally established in the country.

"The duties previously and at present charged are as follows :

Old Tariff.		Present Tariff
Opium paste	\$7 kilo.	\$7 kilo.
Opium powder	\$9 kilo.	\$8 kilo.
Cocaine and its derivatives	\$0.10 gramme.	\$0.02 gramme."

HONDURAS.

Pharmacy law of February 6, 1918.

"CHAPTER VII.

"Against the public consumption of so-called heroic drugs and of anaesthetic alkaloids for vice purposes.

"ART. 80. Only legally established pharmacies may import the following products, their alkaloids and salts, whether pure or in any of the pharmaceutical forms mentioned in Article 82 which may contain them :

"Opium, peronina, estovaina, canabis indica, morphine, cocaine, chloral hydrate, heroin, novocaine, chloroform, dionine, eucaine, sulphuric ether.

"The Superior Court of Accounts and the importer will report to the Board of Directors of the Faculty of Medicine, Surgery and Pharmacy and to the Superior Council of Public Health, all cases of the importation of the said products, stating their quantities."

"ART. 87. It is forbidden to send by mail any of the products referred to in this chapter to any person who is not a Pharmacist, Doctor or Dental Surgeon; in which last cases the formalities set forth in this Law must be complied with. Those quantities which are found in illicit traffic, as included in this article and the preceding one, shall be confiscated and sent to the Directing Council of the Faculty which shall order whither they shall be sent for safekeeping."

JAPAN

Note from the Imperial Department of Home Affairs, November 17, 1916.

"As no person is permitted in Japan Proper under the opium Law to buy or sell or to give or receive, or even to keep any opium other than that sold by the Government, no one may import

it from abroad; but opiates, cocaine, and opium and cocaine derivatives may be freely imported as medical materials and do not require any special permission. In Chosen the importation of smoking opium is prohibited under the provisions of Chapter 14 of the Criminal Code; but as regards the other materials, there are no provisions restricting their importation. In Taiwan the importation of opium, opium treacle, and other preparations of opium intended to produce the same effects is prohibited under the provisions of the Taiwan Opium Law (Law No. 2, 30th year of Meiji).

"Next, according to a reply received from the Government-General of Kwantung, the importation of opium into that province is absolutely prohibited by law; and the only case in which permission is given is the importation in required quantities from abroad by the Dairen Kosai-sendo Kaienbu, an association especially permitted to import, manufacture, and sell opium, which was established by the Chinese for the supply of opium to confirmed opium-smokers among their country-men in Kwantung Province. No special permission is needed for the importation of cocaine."

MEXICO.

Law published March, 15 1920.

PROVISIONS ON TRADE IN PRODUCTS WHICH MAY BE USED TO FOSTER VICES THAT DEGENERATE THE RACE AND ON THE CULTIVATION OF PLANTS THAT MAY BE EMPLOYED TO THE SAME END.

First. In order to import into the country opium, morphine, heroine, and cocaine, as well as preparations therefrom which may serve to form habits for the use of these drugs, it shall be necessary to have a permit from the department of health, which will grant it to drug-handling establishments which have a responsible pharmacist legally registered (entitled).

Second. The establishments mentioned in the foregoing article shall be permitted to furnish these products only to dispensaries of medicines or to professional men who have obtained authorization in each case from the department of health in the federal district, from the health delegates in the capitals of the states, ports, and frontiers, and from the subdelegates in the other towns of the country.

Third. Any person who acquires these drugs in any quantity shall be obliged to keep a special book, in accordance with the appended model, in which shall appear the receipts and sales of these drugs and their preparations, with the understanding

that the quantities which are dealt out to the public may be given out only on medical prescription.

Fourth. A new permit to import or acquire these drugs shall not be granted unless it has first been proved to the satisfaction of the proper health authority that the quantities imported or acquired previously have been distributed.

Fifth. The culture of and commerce in marihuana is strictly prohibited.

Sixth. The cultivation of the poppy as well as the extraction of its products shall be possible only by permission of the health department and subject to the restrictions that may be necessary in each case.

Seventh. Infractions of the foregoing provisions shall be punishable by a fine from \$100 to \$5,000, the drug being confiscated.

Transitory. These provisions shall be binding throughout the country and shall take effect on the date of their publication in the official gazette of the Federation.

MOROCCO.

Article 72 of the Act of Algeciras, signed at Algeciras, April 7, 1906.

"ART. 72. Opium and kiff will continue to be a monopoly of the Shereefian Government. The importation of opium specially intended for medicinal purposes will, however, be allowed by special permit issued by the Maghzen at the request of the Legation, the physician, or apothecary importing the same. The Shereefian Government and the Diplomatic Body shall jointly determine the maximum quantity which may be thus introduced."

Despatch from the American Legation at Tangier, April 14, 1914.

"The introduction of opium may be authorized exclusively for pharmaceutical uses, subject to justification of the employment thereof and under the control of the Concessionnaire."

NETHERLANDS.

Law of October 4th, 1919, containing the Regulations relating to Opium and other Narcotics.

"ARTICLE 1.

"It is forbidden :

"A. to manufacture, work up, transport, sell, deliver or to keep in stock for sale or delivery, opium and all derivatives of opium (under derivatives are also to be understood raw opium, pre-

pared opium, medicinal opium, morphine and heroin) and cocaine, within the limits of the Kingdom in Europe;

"B. to import the above-named substances into the Kingdom in Europe;

"C. to export the above-named substances from the Kingdom in Europe;

"ARTICLE 2.

"1. The prohibition contained in Article 1 does not apply:

"a. to apothecaries and doctors with dispensaries who import, transport, manufacture or work up the substances named in Article 1 for the purpose of selling or delivering them for medicinal use, provided that they comply in each and every case with the stipulations of the Law of June 1st, 1865 (Staatsblad No. 61) relating to the preparation of medicines;

"b. to veterinary surgeons who import, transport, manufacture or work up the said substances for the purpose of selling or delivering them for use as medicines for cattle, provided that they comply in each and every case with the stipulations of the Law of July 8th, 1874 (Staatsblad No. 98) relating to the exercise of the profession of veterinary surgeon;

"c. to persons to whom the Minister of Labor has granted written permission to import, export, sell, deliver, or keep in stock for sale or delivery, the said substances.

"6. Permission to export the substances in question to countries in which their importation is forbidden will not be granted unless it be proved that the said substances are destined for persons or institutions in possession of a license from their Government to receive such substances."

DUTCH EAST INDIES.

Official Gazette of the Netherlands Indies, August 26 1911:

"ART. 1. Without detriment to the existing or hereafter to be adopted prohibitions relating to this matter, the import of:

"a. raw or prepared opium, morphine, preparations of opium, liquids or solid matter containing opium or morphine or mixed with opium or morphine;

"b. cocaine and a and b cocaine and all other articles, which can be used as substitutes for morphine;

"c. injection and other instruments destined for making injections of morphine and similar soothing medicaments;

"if they are destined for use for medical purposes and insofar as the articles mentioned under a, cannot be classed as the so-called opium pills, opium powders, anti-opium pills and anti-opium powders or other remedies, as are said to counteract the use of opium;

"is allowed to chemist and medical men, such as are respectively understood in articles 56 and 49 of the regulations relating to the civil medical service in the Netherlands Indies, as well as to veterinaries in places where there is no chemist's shop, with this proviso that the last mentioned retain that permission so long as they remain in that place, even subsequent to the opening of a chemist's shop."

NICARAGUA.

Note from the Nicaraguan Foreign Office, October 16, 1916:

"Before the Republic adhered to the Opium Convention, rules of pharmacopoeia were in force here, containing very strict prohibitions with regard to trade in poisonous substances, among which opium and its preparations were expressly included. * * * Crude opium is not imported into the country either by foreigners or natives, still less that for smoking; and as far medicinal purposes, its introduction is subject to all the restrictions of the law, and its use limited to the requirements of prescriptions authorized in cases of painful afflictions.

"The National Legislative Assembly decrees the following Pharmacy Regulations:

"ART. 2. The poisonous substances, to which the present law refers, cannot be sold or delivered except to druggists, chemists, makers or manufacturers who had made the application required in the preceding article. The said substances cannot be delivered except by a demand written and signed by the buyer."

NORWAY.

Law of June 21, 1913, regarding the importation and exportation of opium et cetera.

"I. The King may determine:

"a. That the exportation and importation shall take place only through certain designated Customs Houses.

"b. That the exportation of raw opium be forbidden to certain designated countries.

"c. Preparation of regulations to control the exportation of opium.

"d. That only persons who have received a permit from the Department of the Government to which medical affairs pertain, shall be permitted to export raw opium.

II. That the manufacture, exportation and importation of prepared opium be forbidden.

III. The King may determine :

"a. That the exportation of morphine, cocaine, and their salts shall be subject to the duty of announcement to the public authorities and be allowed to take place only by persons who have obtained a permit from the Medical Department.

"c. That the exportation of morphine, cocaine and their salts shall take place only to persons who have received a permit from the country of importation."

Regulations enacted May 1, 1914, in regard to the importation and exportation of opium, in accordance with the law of June 21 1913 :

"1. The importation and exportation of raw opium shall take place only through the Customs Houses at Christiana, Skien, Christiansand, Stavanger, Bergen and Trondhjems.

"2. Exportation of raw opium shall be permitted only by persons who have obtained a permit from the Civil Medical Department.

"5. The manufacture, importation and exportation of prepared opium is prohibited.

"6. Those persons who have a permit to import and sell drugs and poisons shall report to the Medical Department whether they intend to export :

"(a) Medicinal opium.

"(b) Morphine and its salts.

"(c) Cocaine and its salts.

"(d) Preparations containing more than 20% of morphine, or more than 10% of cocaine (including the so-called anti-opium medicine)."

PANAMA.*Law 46 of 1912.*

"ART. 1. Since the 1st of February, 1913, the introduction of opium into the Republic of Panama, with the exception of the importation of drug stores for strictly medical use is prohibited.

"Law 19 of 1916.

Nov. 22nd.

The National Assembly of Panama.

Decrees :

"ART. 1. The prohibition of the importation of opium which is not intended for strictly medicinal purposes, referred to in Law forty-six (46) of nineteen hundred twelve (1912), is extended to cocaine and similar substances and to derivatives of either of these articles.

"ART. 7. The introduction of opium for strictly medicinal purposes shall be permitted only by hospitals and the owners of drug stores; on the arrival of the merchandise it shall be detained by the employees of the Customs Service and held by them until it reaches its destination, and the delivery shall not be made until the person interested demonstrates that the importation has been made only for medicinal purposes. * * *."

PERSIA.

Note from the Persian Foreign Office, October 31, 1916.

"As per laws and regulations of 1910 they put a new tax on opium and the tax is to be increased each year for seven years, until they be able to entirely prevent its use in the 8th year. Therefore, at present there is no special law for preventing its use, or its importation or exportation. The use of morphine was increasing and in 1912 a law was passed preventing its importation into this country except for medical use. There will not doubt be new laws on this subject after the eight year period is finished."

PERU.

LAW

"Monopoly of Opium, October 31, 1887.

"The Congress of the Republic of Peru, considering it to be necessary to increase the fiscal revenue, establishes the following law:

"ART. 1. The importation and sale of opium is made a monopoly, * * * within the territory of the Republic.

"ART. 2. The Executive may authorize the disposal at public auction of the monopoly of opium for a period not to exceed two years, upon a basis to be conveniently established. * * *."

Despatch from the Legation, December 31 1919:

"I have been informed by both Minister of Hacienda and Minister of Fomento that there are no laws or regulations concerning habit forming drugs with the exception of opium. The importation of this drug is controlled by State monopoly provided for by an old law." (October 31, 1887.)

POLAND.

Note from the Polish Foreign Office, November 8, 1919:

"* * * drugs can not be imported into Poland, exported from the country, or pass through it in transit, without special authorization from the Minister of Public Health."

ROUMANIA.

Despatch from the American Legation at Bucharest, December 4, 1919.

"Pharmacy Law.

"ARTICLE 119

"The Superior Sanitary Council may withdraw the authorization granted for the sale of medicines which no longer conform to the samples submitted. A sample of medical compounds and medical specialties from abroad must be submitted to the Customs Bureau in order to permit the control of the importation of these substances; each time that such medicines are imported the importer will present to the Customs a certificate proving that the medicine is derived from the material for which an authorization for importation has been obtained.

"Unauthorized products may not be imported.

"No pharmacist or druggist may keep in his pharmacy or drugstore compound medicines or medical specialties from abroad which are not authorized by the Superior Sanitary Council, under pain of confiscation."

SALVADOR.

Law of September 1, 1916.

"Executive Power, Ministry of Finance, The Executive Power of the Republic of Salvador * * * decrees: 1st. Opium, cocaine, its preparations and derivatives, can be imported into the Republic only by matriculated pharmacists according to the law and who have the corresponding person skilled in this profession who overlooks same. 2nd. The owners of pharmacies shall present every year to the Ministry of Finance the respective matriculation, in order that same can be taken note of in the Customs Houses, without which requisite the registry of these medicines will not be allowed. 3rd. When such medicine comes consigned to private concerns, who order same for others, or commission merchants, they shall be deprived of same and it shall be remitted to the Minister of Finance, who in turn will place it at the disposition of the Bureau of Charities in order that they may send it to the Hospitals of the country in need of same."

5th. For the enforcement of the former article, every quantity of opium must come accompanied by the factory certificate showing its origin, setting forth the percentage of morphine which it contains. 6th. The term opium comprehends that which is known by the trade by the name of gum opium, powdered opium, denarcotized opium, granular opium, smoking opium, and cooked

opium, all preparation, product, mixture of compound containing opium; all preparation, product, mixture or compound containing such as morphine, codeine, dionin, diacetyl morphine, heroin, peronine, their chlorides, sulphates, phosphates, etc., and all compounds or preparations containing any of the foregoing. 7th. In cocaine there is meant all preparation, product, mixture or compound which the coca contains. By—products of this, its alkaloids, salts or combinations obtained directly or indirectly, such as cocaine, its salts and all the compound mixtures and preparations which contain novocaine and stovaina. * * * 9th. The importation of these medicines by mail and by parcels post is prohibited.'

KINGDOM OF THE SERBS, CROATS AND SLOVENES.

Note of November 6, 1919, from the Ministry of Public Health.

Section 24, No. 5 of the Sanitary Laws.

"Only in places where pharmacies exist is the selling of drugs, which are noted in the pharmacopœia, permitted. Poisons and drugs for technical use can only be sold by those who possess a license for poisonous drugs. That this law could better be executed, it is forbidden to the customs officers to allow the importation of poisonous drugs and other drugs addressed to persons who have no license.

"A.

"Products permitted to be imported to those who have the licenses for trading in poisonous drugs: Nitric acid, vitriol, salt acid, ferrosulphate, minium benino (lead carbonate), chemical paints (excepting paints of arsenic, copper, chrome, mercury, zinc, and aniline paints containing arsenic, antimony and mercury), salmiac spirits, lemon acid."

"C.

"Articles which the Customs Office must not allow to enter the country addressed to grocers and merchants: sulphate of copper, arsenic, auripigment, realgar, dichloride of mercury, salisabar, codliver oil, opium balsam 'Hofmann', 'Antoni, camphor, quinine, cremor magnesia, spanish fly, opodeldoc, insect powder, seidlitz powder."

SIAM.

The Morphine and Cocaine Act, B. E. 2456 (1913).

"4. The licenses for dealing in morphine and cocaine shall be granted in Monthon Bangkok by the Minister of Local Government and in the other Monthons by the Minister of the Interior.

"5. A license shall not be valid for more than one year.

"7. A person who is not a licensed dealer in morphine and cocaine, is prohibited from importing morphine or cocaine into the Kingdom, or from being in possession of more than one gram of either of those two substances at any time.

"8. Except on special permission granted in Monthon Bangkok by the Minister of Local Government and in the other Monthons by the Minister of the Interior, a licensed dealer shall not be allowed to import or purchase in any one year more than a total of one hundred and eighty grams of morphine and one hundred and thirty grams of cocaine or the equivalent thereof in solution, pills or other preparations.

"9. Morphine or cocaine shall not be imported into the Kingdom except through the ports of Bangkok and Puket, or any other port which shall hereafter be declared by a notification of the Minister of Finance published in the Government Gazette to be a port for the importation of morphine or cocaine."

SPAIN.

Regulations on the dealing in and dispensation of toxic substances, especially those exerting a narcotic antithermic, or anaesthetic action, July 31, 1918.

"ART. 4. The importation of these opiates into Spain shall take place only in shipments whose minimum weight is 3 kilograms in case of opium, its extracts and mark, and half a kilogram in case of alkaloids, mixtures of the latter and their salts.

"ART. 5. The importation of these commercial shipments shall take place only through the custom house of Irun, Santander, Gijon, Coruna, Vigo, Valencia de Alcantara, Cadiz, Malaga, Cartagena, Alicante, Calendia, Barcelona, Port Bou, Sevilla, San Sebastian, Bueiva, Bilbao, and Palma.

"ART. 7. The shipments referred to in arts. 4, 5 and 6 shall not be delivered in the custom houses to any person except the agents representing the colleges of pharmacists, to persons well known and recognized and registered, with an open establishment, as purveyors of drug stores, laboratories of pharmaceutic specialties, and pharmaceutic centers.

"Persons who, not coming within any of these conditions, may need to acquire quantities of these substances for any industrial manufacture, may receive them at any of the custom houses mentioned in art. 5, through the medium of an agent who must absolutely be authorized by the office of general inspector of health.

"ART. 13. The importation, circulation, and sale of opium prepared for smoking and of any opiate intended for this use is absolutely prohibited."

SWEDEN.

Opium Laws and Regulations, October 7, 1916.

"Par. 1. Poisons are hereby divided into two classes. The first class contains poisons mentioned in List I of these regulations. The second class contains poisons mentioned in List II of these regulations.

"Par. 2. Poisons of first class may not be imported into this country by other persons than apothecaries, manufacturers having the privilege to use necessary quantities of such poisons, directors of scientific departments of national high schools or academies needing certain quantities of the poisons in their work, directors of national or municipal scientific institutions needing certain quantities of the poisons in their work, directors of research laboratories needing certain quantities of the poisons in their work when authorized by the proper authorities. If it be suspected that the poisons of the first class imported by manufacturers or directors of scientific institutions or research laboratories are not needed for the purpose stated the proper customs administration may request a sworn affidavit by the manufacturer or director.

"List I. Opium and cocaine, and salts, derivatives and preparations of opium and cocaine, etc."

TURKEY.

"New Law on Analyses at the Customs (May 20, 1905).

"ART. 16. The entry is prohibited of specialties prepared with the following drugs, of which the use has been recognized to be harmful: cocaine, 'sulfiteux,' compounds, Koch's antitubercular serum, the Indian berry 'cocculus Indicus,' picrotoxin, the Canabis Indica (preparation with hashish). These shall be reexported in conformity to art. 9."

The following countries have stated that they have no laws governing the importation of opium and other habit-forming drugs:

Brazil	Oman
Greece	Paraguay
Haiti	Russia
Italy	Switzerland
Liberia	Venezuela.

In connection with each of the following countries the Department has either received no information, or the information

received has not been satisfactory, and a supplementary statement concerning these countries will be issued later :

Belgium	Montenegro
Finland	Portugal
Germany	Uruguay

MARCH 1, 1920.

JAPAN.

ORDER OF THE DEPARTMENT OF INTERIOR, NO. 41.

December 6th, 1920.

Regulation for the control of Morphia, Cocain and other Alkaloids therefrom.

Article 1. Importers of Morphia, Cocain and other Alkaloids therefrom from abroad or from any other place in Japan shall apply to the Minister of Interior for license through the Governor of the Prefecture concerned. The following items shall be stated in the application :—

1. Name and quantity of the drug.
2. Name and address of the consignor.
3. Approximate date of importation.
4. Port of arrival.

In case of any change in the above items (change in (3) not exceeding 30 days excepted) after the issue of the license, a separate application shall be made for the correction in the license.

Article 2. Exporters of Morphia, Cocain and other Alkaloids therefrom abroad or to any other place in Japan shall apply to the Minister of Interior for license through the Governor of the Prefecture concerned, and present at the same time a certificate showing that the consignee possesses a license to import those drugs at the port of destination. The following items shall be stated in the application :—

1. Name and quantity of the drug.
2. Name and address of the consignee.
3. Approximate date of exportation.
4. Port of exportation.

In case of change in the above items, the same as Article 1.

Article 3. Those who have the license to import or export Morphia, Cocaine and other Alkaloids therefrom in accordance with the two preceding articles, shall report the name and quantity of the drug to the Governor of the Prefecture concerned within ten days after the importation or exportation, as the case may be.

Article 4. Licensed pharmacutists or drug manufacturers, who wish to manufacture Morphia, Cocain and other Alkaloids

therefrom for the purpose of sale, shall report the following items to the Governor of the Prefecture concerned.

Any change regarding the same shall also be reported.

1. Name of the drug.
2. Kinds of materials used.
3. Quantity to be manufactured in one year.
4. Location of the factory.

Article 5. The Pharmaceutists or drug manufacturers above referred to shall report annually by the end of February the names, quantities and kinds of drugs manufactured as well as the quantities and sellers of the materials used in the course of the preceding year.

Article 6. Exporters and importers of as well as dealers in Morphia, Cocain and other Alkaloids therefrom shall keep books, recording the transactions of these drugs, viz. names and quantities of drugs, dates of transactions, and names, places and lines of business of the sellers and buyers. These records shall be kept ten years from the date of entries. Sales per prescription of doctors are excepted.

Article 7. The Governors of Prefectures may order sanitary or police officials to inspect the books referred to in the preceding Article.

Article 8. Offenders of Article 1 and Article 2 are liable to punishment not exceeding three months' imprisonment.

Article 9. Offenders of Article 4 are liable to either a fine not exceeding one hundred yen or detention of the offender.

Article 10. Offenders of Article 3, 5 or 6, those who shall have refused inspection stipulated in Article 7, and offenders of Paragraph 2 of Article 15 and Article 17 are liable to a fine not exceeding fifty yen or detention of the offender.

Article 11. The landing and reexport of Morphia, Cocain and other Alkaloids therefrom shall be treated under this Regulation as import and export respectively.

Article 12. This Regulation shall be applied *mutatis mutandis* to the following drugs, except Article 4 in case of drugs manufactured by a pharmacist as material for his own use.

1. Diacetyl morphin (Heroin), Ethyl morphin, Codein and similar salts.
2. Drugs containing 2/1000 or more of Morphia, Ethyl morphin, 1/1000 or more of Diacetyl morphin or Cocain or 6/1000 or more of Codein.
3. Drugs recognized by the Minister of Interior as to having the same effect as the drugs mentioned above.

Article 13. The Inspector General of Metropolitan Police shall act in lieu of the Governor of Tokio Prefecture under this Regulation.

ADDITIONAL ARTICLES.

Article 14. This Regulation shall take effect on January 1st, 1921.

Article 15. Article 1 of this Regulation is inapplicable to transactions in Morphia, Cocain and other Alkaloids therefrom and drugs mentioned in Article 12, for which contracts shall have been made before the promulgation of this Regulation and which are actually in the course of transportation at the date of the promulgation of this Regulation, whereas Article 3 shall be applied to the drugs thus imported.

Article 16. The Minister of Interior's license for export or re-export of Morphia, Cocain and other Alkaloids therefrom, and drugs named in Article 12, issued before the enforcement of this Regulation, in accordance with Article 18 of the Order of the Department of Interior No. 18 of August, 1914, shall be regarded as the same as a license issued in accordance with this Regulation.

Article 17. Importers and exporters of and dealers in Morphia, Cocain and other Alkaloids therefrom and drugs named in Article 12 shall report to the Governor of the Prefecture concerned the names and quantities of those drugs which they hold in their stock at the time of the enforcement of this Regulation, within thirty days from the date of enforcement.

APPENDIX V.

TRANSLATION OF CHINESE LAWS CONTROLLING THE SALE AND USE OF NARCOTICS.

THE CRIMINAL CODE OF THE REPUBLIC OF CHINA.
(SECOND REVISED DRAFT) PUBLISHED BY THE LAW
CODIFICATION COMMISSION, PEKING, 1919.

CHAPTER XX.

OFFENCES RELATING TO OPIUM.

Article 269. Whoever manufactures, sells, imports or exports opium, morphine, cocaine, heroine, or any of their derivatives, or is found in possession of the same with intent to sell, shall be punished with imprisonment for a period of not more than five years, or with both imprisonment for the same period and fine of not more than five thousand yuan (dollar)

An attempt to commit an offence under this Article shall be punishable.

Article 270. Whoever manufactures, sells, imports or exports any article exclusively intended for use in opium smoking, or is found in possession of the same with intent to sell, shall be punished with imprisonment for a period of not more than three years.

An attempt to commit an offence under this Article shall be punishable.

Article 271. Whoever for the purpose of gain supplies to another any place for opium smoking, shall be punished with imprisonment for a period of not less than six months nor more than five years, or with both imprisonment for the same period and fine of not more than five hundred yuan.

Article 272. Whoever cultivates the poppy plant or cocaine leaf with intent that the same may be used for the manufacture of opium, morphine, or cocaine, shall be punished with imprisonment for a period of not more than three years, or with both imprisonment for the same period and fine of not more than three thousand yuan.

Whoever sells any poppy or cocaine seeds with intent that the same may be used for the manufacture of opium, morphine, or cocaine, shall be punished with imprisonment for a period of not more than one year, or with detention, or with fine of not more than three thousand yuan, or with both imprisonment for the same period and fine of the same amount, or with both detention and fine of the same amount.

An attempt, &c.

Article 273. Whoever smokes opium, gives to himself an injection of morphine, or makes use of cocaine, heroine, or any derivative of the same, shall be punished with imprisonment for a period of not more than six months or with detention, or with fine of not more than one thousand yuan.

An attempt, &c.

Article 274. Whoever gives another an injection of morphine shall be punished with imprisonment for a period of not more than two years, or with both imprisonment for the same period and fine of not more than five hundred yuan.

An attempt, &c.

Article 275. Whoever is found in possession of opium, morphine, cocaine, heroine, or any of their derivatives, or any article exclusively intended for use in opium-smoking, with intent that the same may be used for the commission of any of the offences specified in this Chapter, shall be punished with detention, or with fine of not more than three hundred yuan.

The opium, morphine, cocaine, heroine, their derivatives and the articles exclusively intended for use in opium-smoking, as specified in the preceding paragraph, shall be forfeited whether they do or do not belong to the offender.

Also The Tariff Revision Committee, on the 20th December, 1918, passed the following resolution:—

“That the Chinese Government is recommended to obtain the consent of the Treaty Powers to the addition of the following rule to the Rules appended to the Tariff:—

RULE IV.—The importation of opium and poppy seeds is absolutely prohibited. The importation of the following articles is prohibited except under bond by qualified medical practitioners, druggists, and chemists: morphia and cocaine and hypodermic syringes; anti-opium pills containing morphia, opium, or cocaine novocaine, stovaine, heroin, thebaine ghanja, hashish, bhang, Cannabis indica, tincture of opium, laudanum, codeine, dionin, and all other derivatives of opium and cocaine.

CHINESE AMENDED LAWS CONCERNING MORPHIA,
ISSUED DEC. 31, 1920.

1. Whoever manufactures, sells, or intends to sell, or stores morphia, or exports the same to foreign countries will be punishable according to the second or third degree, and fined not more than \$3,000.

2. Whoever manufactures or sells, or intends to sell, or stores morphia for injection, or exports the same, will be punishable according to the 3rd or 5th degree, and will be fined not more than \$1,000.

3. Whoever, being a Customs House official or assistant, shall sell or induce others to sell morphia will be punishable according to the 1st or 2nd degree and fined \$5,000. Whoever such shall inject morphia, or induce others to inject morphia, will be punishable according to the 2nd, 3rd, or 4th degrees, and will be fined \$2,000.

4. Whoever shall administer morphia injections will be punishable according to the 2nd to the 4th degrees, and will be fined not more than \$500.

5. Whoever shall disperse morphia, or employ others to do so will be punishable according to the 4th degree, or imprisoned with hard labour. For a repetition of the offence the offender will be punishable according to the 2nd and 3rd degrees, or with treble the punishment previously inflicted.

6. Whoever shall conceal stores of instruments used for morphia injections will be punishable by imprisonment with hard labour or will be fined not more than \$100.

7. The sale or use of cocaine, heroin, or strychnine, not having been previously prohibited, are now covered by the foregoing regulations. (Here cocaine and heroine are defined, and formulas are given).

8. Whoever manufactures cocaine, or supplies coca leaves will be punishable according to the 4th degree, or will be imprisoned with hard labour, or fined \$1,000.

9. Police officials, inspectors, or their assistants failing to inflict the punishments due to offenders under Regulations one to five, seven, and eight, will be punishable by receiving the punishment that should have been inflicted.

10. (This is a brief regulation referring to the previous articles, and the meaning is not clear).

11. Offender against Regulations one to five, seven to ten, may be deprived of civic rights.

The above Regulations come at once into force, December, 31, 1920.

According to the Revised Draft of the Criminal Code, the Degrees of Punishment are:—

1. Death.
2. Imprisonment for Life.
3. Imprisonment for a definite period.....of not less than two months nor more than fifteen years; except in case of reduction of punishment when the period may be reduced to less than two months, or in case of increase of punishment when the period may be extended to twenty years.
4. Detention..... of not less than one day and less than two months; except in case of increase of punishment when the period may be extended to more than two months.
5. Fine of not less than one yuan.

APPENDIX VI.

TREATY OF VERSAILLES.

ARTICLES RELATING TO OPIUM.

Article 295: Those of the High Contracting Parties who have not yet signed, or who have signed but not yet ratified, the Opium Convention signed at the Hague on January 23, 1912, agree to bring the said Convention into force, and for this purpose to enact the necessary legislation without delay and in any case within a period of twelve months from the coming into force of the present treaty.

Furthermore, they agree that ratification of the present Treaty should in the case of Powers which have not yet ratified the Opium Convention be deemed in all respects equivalent to the ratification of that Convention and to the signature of the Special Protocol which was opened at the Hague in accordance with the resolutions adopted by the Third Opium Conference in 1914 for bringing the said Convention into force.

For this purpose the Government of the French Republic will communicate to the Government of the Netherlands a certified copy of the protocol of the deposit of ratifications of the present Treaty, and will invite the Government of the Netherlands to accept and deposit the said certified copy as if it were a deposit of ratifications of the Opium Convention and a signature of the Additional Protocol of 1914.

APPENDIX VII.

AGREEMENT BETWEEN THE UNITED KINGDOM AND CHINA RELATING TO OPIUM.

Signed in English and Chinese Texts at Peking, May 8, 1911.

TOGETHER WITH NOTES RELATING THERETO EXCHANGED
ON THAT DAY.

Under the arrangement concluded between His Majesty's Government and the Chinese Government three years ago, His Majesty's Government undertook that, if during the period of three years from the 1st day of January, 1908, the Chinese Government should duly carry out the arrangement on their part for reducing the production and consumption of opium in China, they would continue in the same proportion of 10 per cent. the annual diminution of the export of opium from India until the completion of the full period of ten years in 1917.

His Majesty's Government, recognising the sincerity of the Chinese Government and their pronounced success in diminishing the production of opium in China during the past three years, are prepared to continue the arrangement of 1907 for the unexpired period of seven years on the following conditions:—

ARTICLE 1.

From the 1st day of January, 1911, China shall diminish annually for seven years the production of opium in China in the same proportion as the annual export from India is diminished in accordance with the terms of this agreement and of the annex appended hereto until total extinction in 1917.

ARTICLE 2.

The Chinese Government have adopted a most rigorous policy for prohibiting the production, the transport, and the smoking of native opium, and His Majesty's Government have expressed their agreement therewith and willingness to give every assistance. With a view to facilitating the continuance of this work, His Majesty's Government agree that the export of opium from India to China shall cease in less than seven years if clear proof is given of the complete absence of production of native opium in China.

ARTICLE 3.

His Majesty's Government further agree that Indian opium shall not be conveyed into any province in China which can establish by clear evidence that it has effectively suppressed the cultivation and import of native opium.

It is understood, however, that the closing of the ports of Canton and Shanghai to the import of Indian opium shall not take effect except as the final step on the part of the Chinese Government for the completion of the above measure.

ARTICLE 4.

During the period of this agreement it shall be permissible for His Majesty's Government to obtain continuous evidence of the diminution of cultivation by local enquiries and investigation conducted by one or more British officials, accompanied, if the Chinese Government so desire, by a Chinese official. Their decision as to the extent of cultivation shall be accepted by both parties to this agreement.

During the above period one or more British officials shall be given facilities for reporting on the taxation and trade restrictions on opium away from the treaty ports.

ARTICLE 5.

By the arrangement of 1907 His Majesty's Government agreed to the dispatch by China of an official to India to watch the opium sales on condition that such official would have no power of interference. His Majesty's Government further agree that the official so dispatched may be present at the packing of the opium on the same condition.

ARTICLE 6.

The Chinese Government undertake to levy a uniform tax on all opium grown in the Chinese Empire. His Majesty's Government consent to increase the present consolidated import duty on Indian opium to 350 taels per chest of 100 catties, such increase to take effect as soon as the Chinese Government levy an equivalent excise tax on all native opium.

ARTICLE 7.

On confirmation of this agreement, and beginning with the collection of the new rate of consolidated import duty, China will at once cause to be withdrawn all restrictions placed by the provincial authorities on the wholesale trade in Indian opium such as those recently imposed at Canton and elsewhere, and also all taxation on the wholesale trade other than the consolidated import duty, and no such restrictions or taxation shall be again imposed so long as the additional article to the Chefoo Agreement remains as at present in force.

It is also understood that Indian raw opium, having paid the consolidated import duty, shall be exempt from any further taxation whatsoever in the port of import.

Should the conditions contained in the above two clauses not be duly observed, His Majesty's Government shall be at liberty to suspend or terminate this agreement at any time.

The foregoing stipulations shall not derogate in any manner from the force of the laws already published or hereafter to be published by the Chinese Government to suppress the smoking of opium and to regulate the retail trade in the drug in general.

ARTICLE 8.

With a view to assisting China in the suppression of opium, His Majesty's Government undertake that from the year 1911 the Government of India will issue an export permit with a consecutive number for each chest of Indian opium declared for shipment to or for consumption in China.

During the year 1911 the number of permits so issued shall not exceed 30,600, and shall be progressively reduced annually by 5,100 during the remaining six years ending 1917.

A copy of each permit so issued shall before shipment of opium declared for shipment to or for consumption in China be handed to the Chinese official for transmission to his Government or to the Customs authorities in China.

His Majesty's Government undertake that each chest of opium for which such permit has been granted shall be sealed by an official deputed by the Indian Government, in the presence of the Chinese official if so requested.

The Chinese Government undertake that chests of opium so sealed and accompanied by such permits may be imported into any treaty port of China without let or hindrance if such seals remain unbroken.

ARTICLE 9.

Should it appear on subsequent experience desirable at any time during the unexpired period of seven years to modify this agreement or any part thereof, it may be revised by mutual consent of the two high contracting parties.

ARTICLE 10.

This agreement shall come into force on the date of signature.

In witness whereof the undersigned, duly authorised thereto by their respective Governments, have signed the same and affixed thereto their seals.

Done at Peking in quadruplicate (four in English and four in Chinese) this 8th day of May, in the year 1911, being the 10th day of the 4th month of the 3rd year of Hsüan T'ung.

(L.S.) J. N. JORDAN.
(Signed in Chinese characters),
(L.S.) TSOU CHIA-LAI.

ANNEX.

On the date of the signature of the agreement a list shall be taken by the Commissioners of Customs, acting in concert with the colonial and consular officials, of all uncertificated Indian opium in bond at the treaty ports, and of all uncertificated Indian opium in stock in Hong Kong which is *bonâ fide* intended for the Chinese market, and all such opium shall be marked with labels, and on payment of 110 taels consolidated import duty shall be entitled to the same treaty rights and privileges in China as certificated opium.

Opium so marked and in stock in Hong Kong must be exported to a Chinese port within seven days of the signature of the agreement.

All other uncertificated Indian opium shall, for a period of two months from the date of the signature of the agreement, be landed at the ports of Shanghai and Canton only, and at the expiration of this period all treaty ports shall be closed to uncertificated opium, provided the Chinese Government have obtained the consent of the other treaty Powers.

The Imperial Maritime Customs shall keep a return of all uncertificated Indian opium landed at Shanghai and Canton during this period of two months, other than opium marked and labelled as provided above, and such opium shall pay the new rate of consolidated import duty, and shall not be re-exported in bond to other treaty ports.

In addition to the annual reduction of 5,100 chests already agreed upon, His Majesty's Government agree further to reduce the import of Indian opium during each of the years 1912, 1913, and 1914 by an amount equal to one-third of the total ascertained amount of the uncertificated Indian opium in bond in Chinese treaty ports and in stock in Hong Kong on the date of signature plus one-third of the amount of uncertificated Indian opium landed during the ensuing two months at Shanghai and Canton.

Done at Peking this 8th day of May in the year 1911, being the 10th day of the 4th month of the 3rd year of Hsüan T'ung.

(L.S.) J. N. JORDAN.
(Signed in Chinese characters),
(L.S.) TSOU CHIA-LAI.

Sir J. Jordan to Prince Ch'ing.

Your Highness,

Peking, May 8, 1911.

WITH reference to the Opium Agreement signed this day and the enquiry which your Highness's Board addressed to me regarding the taxation to be imposed on certificated opium, I have the honour to state that certificated opium removed from bond at the treaty ports or imported into China after the signature of the agreement will be liable to the new duty of 350 taels per chest of 100 catties.

I avail, &c.

J. N. JORDAN.

Prince Ch'ing to Sir J. Jordan.

(Translation.)

Sir,

Peking, May 8, 1911.

WITH reference to the statement in the 6th article of the Opium Agreement which has been signed to-day to the effect that the Chinese Government will levy a uniform excise tax on all native opium, I have the honour to inform your Excellency that the Board of Finance has now decided to levy a tax of 230 taels on every 100 catties of native opium, which is equivalent to the increased rate of duty on Indian opium, such tax to take effect at the same time as the new duty on Indian opium.

I avail, &c.

Prince CH'ING.

APPENDIX VIII.

PORTUGAL-CHINA MACAO CONVENTION, 1, DECEMBER 1887.

ARTICLE I.

Portugal will enact a Law subjecting the opium trade of Macao to the following provisions.

1. No opium shall be imported into Macao in quantities less than one chest.

2. All opium imported into Macao must forthwith on arrival be reported to the competent department under a public functionary appointed by the Portuguese Government to superintend the importation and exportation of opium in Macao.

3. No opium imported into Macao shall be trans-shipped, landed, stored, removed from one store to another, or exported, without a permit issued by the Superintendent.

4. The importers and exporters of opium in Macao must keep a register according to the form furnished by the Government, showing with exactness and clearness the quantity of opium they have imported, the number of chests they have sold, to whom and to what place they were disposed of, and the quantity in stock.

5. Only the Macao opium farmer and persons licensed to sell opium at retail will be permitted to keep in their custody raw opium in quantities inferior to one chest.

6. Regulations framed to enforce in Macao the execution of this Law will be equivalent to those adopted in Hong Kong for similar purposes.

ARTICLE II.

Permits for the exportation of opium from Macao into Chinese ports after being issued shall be communicated by the Superintendent of Opium to the Commissioner of Customs at Kung-pacuan.

...

ARTICLE III.

By mutual consent of both the High Contracting Parties, the stipulations of this Convention may be altered at any time.

In faith whereof the respective Plenipotentiaries have signed and sealed this Convention.

Peking, etc., etc. (with signatures). Hertslets China Treaties, Vol. 1, p, 434-435.

Agreement between Portugal and China respecting the Collection of Duties on opium. Signed at Peking, 1st December, 1887.

The basis of the co-operation to be given to China by Portugal in the collection of duties on opium conveyed from Macao to Chinese ports having been fixed by Convention (No. 74) appended to the Treaty of Amity and Commerce between China and Portugal on the 1st December, 1887 (No. 73), and it being now convenient to come to an understanding upon some points relating to the said co-operation, as well as to fix rules for the treatment of Chinese junks trading with Macao, Sir Robert Hart, K.C.M.G., Inspector General of the Chinese Imperial Maritime Customs, provided with the necessary instructions from the Chinese Government, and Barnardo Pinheiro Correia de Mello, Secretary of the Special Mission of His Most Faithful Majesty in Peking, duly authorized by His Excellency, Thomas de Sousa Rosa, Chief of the said Mission, have agreed on the following.

ARTICLE I.

An office under a commissioner appointed by the Foreign Inspectorate of the Chinese Imperial Maritime Customs shall be established at a convenient spot on Chinese territory for the sale of opium duty certificates, to be freely sold to Macao merchants, and for such quantities of opium as they may require. The said Commissioner will also administer the Customs station near Macao.

ARTICLE II.

Opium accompanied by such certificates at the rate of not more than 110 taels per picul shall be free from all other imposts of every sort, and have all the benefits stipulated for by the Additional Article of the Chefoo Convention between China and Great Britain (18th July, 1885) on behalf of opium on which duty has been paid at one of the ports of China, and may be made up in sealed parcels at the option of the purchaser.

ARTICLE III.

The Commissioner of Customs responsible for the management of the Customs station shall investigate and settle any complaints made by the Chinese merchants of Macao against the Customs stations or revenue cruisers.

The Governor of Macao, if he deems it advisable, shall be entitled to send an officer of Macao to be present and assist in the investigation and decision. If, however, they do not agree, a reference may be made to the authorities at Peking for a joint decision.

ARTICLE IV.

Junks trading between Chinese ports and Macao and their cargoes shall not be subject to any dues or duties in excess of those leviable on junks and their cargoes trading between Chinese ports and Hong Kong, and no dues whatsoever shall be demanded from junks proceeding to Macao from ports in China, or coming from Macao to ports in China over and above the dues paid or payable at the ports of clearance or destination. Chinese produce which has paid customs duties and li-kin tax before entering Macao may be exported from Macao to Chinese ports without paying customs duties and li-kin tax again, and will be subject to the payment of only the tax named hsiao-hao. (Hertslets China Treaties, Vol. 1, pp, 435-436.

APPENDIX IX.

A.

OPIMUM IN HONGKONG.

The steps taken for the suppression of opium smoking in Hongkong, as set forth in the Governor's Annual Reports, have been as follows:—

In pursuance of the policy of His Majesty's Government, twenty-six opium divans were first closed on March 1, 1909. All remaining divankeepers both in the Colony and the New Territories were notified that no licenses would be renewed after February 28, 1910, and all opium divans were finally closed on March 1, 1910. The opium laws of the Colony were consolidated in September, 1909, and were amended so as to give full effect to the recommendations made by the International Opium Conference, which sat at Shanghai during February, 1909, and to the policy of His Majesty's Government. In 1910 two further Ordinances were passed with a view to making the provisions of the Ordinance of 1909 more effective, while the Pharmacy Amendment Ordinance, 1910, increased the powers of the Government in controlling poisons, including morphine and cocaine. Tenders for the lease of a new opium farm for three years from March 1, 1910, were called for, and the lease was granted to Messrs. Ho Kom-tong, Ng Li-ling, Lau Chü-pak and Ch'an K'ai-meng, at an annual rental of \$1,183,200. This means a loss to the revenue of \$225,860 during 1910 and of \$270,660 during each of the years 1911 and 1912.

When the contract for the opium farm expired in March, 1913, it was decided that, pending consideration of what steps would be necessary to give effect to The Hague Opium Convention, the term of the farm should be extended for one year only—to March 1, 1914. In sanctioning this course the Secretary of State for the Colonies asked the Hongkong Government to give careful consideration to the question whether it would not be possible on the expiration of the extended lease to abolish the farm system, and to adopt instead the arrangement in force in the Straits Settlements, by which the importation and preparation for consumption of opium was under the direct control of the Government. In October, 1913, the Hongkong Government announced that from March, 1914, it would abolish the farm system and establish in its

place a Government monopoly. The estimated revenue from opium for 1914 (including two months of the farm system) was set down as \$2,573,000, with an expenditure of \$993,631 (including \$849,900 for the purchase of raw opium), leaving a balance for the Government of \$1,579,369. In due course, on March 1, 1914, the Hongkong Government Opium Monopoly assumed control of the opium business hitherto leased out to the opium farmer.

The restrictions placed on the consumption of opium both inside and outside the Colony have been as follows:—

(1) The smoking of opium is restricted in Hongkong primarily by the existence of a monopoly under which the sole right of preparing opium for smoking and of selling the prepared drug is vested in a monopolist, who is thus enabled to charge a very high price for the drug. The selling price of prepared opium and dross opium is \$4.50 and \$2.00 respectively, per Chinese ounce (= $1\frac{1}{2}$ oz.). The monopolist alone can import prepared opium.

(2) Opium divans (or dens) have been closed. Heavy penalties are imposed for the illicit opening of a divan. Persons found smoking in a divan are liable to fine, and persons found in, or escaping from, a divan are, under the law, presumed to have been smoking therein.

(3) Penalties are imposed on any person who administers by injection or furnishes morphine to any person except under prescription from a qualified medical practitioner.

(4) The importation for sale or use within the Colony, the preparation, manufacture and sale of morphine and compounds of opium are restricted by license.

Licenses are restricted to a few chemists and druggists of good repute, who have to pay a royalty to the monopolist referred to in (1) of ten dollars per tael of morphine and four dollars per tael of compound of opium other than morphine. The price is thereby enhanced. Under the condition of these licences morphine and compounds of opium may not be sold to the general public in quantities less than of the value of 20 cents. The vendor must supply the purchaser at the time of sale with a counterfoil certificate.

The possession of morphine and compounds of opium without such certificate is illegal, and in quantities exceeding twelve official doses whether covered by certificates or not.

Supervision of the trade in these drugs is ensured by the compulsory keeping of books by the licensees, which are open to inspection.

Opium, morphine and compounds of opium are declared to be poisons under the Pharmacy Ordinance. Under the provisions

of that Ordinance the seller must mark in English and Chinese the bottle or other package containing any such article with the name of the article, the word "poison" and the name and address of the seller. In addition, under the conditions of the license above referred to, medicines purporting to be for the cure or relief of the opium habit, or to be substitutes for opium smoking or taking, or for the morphine habit, and themselves containing opium, morphine, or any compound of opium, must bear a label to such effect in Chinese writing for the information of the purchaser.

The import, for purposes of export, of morphine and compounds of opium is regulated by licence under conditions for storage in a bonded warehouse and for the keeping of books, whereby the trade is supervised.

The export of prepared opium or dross opium by any person (including the monopolist of the preparation and sale of prepared opium) to China, French Indo-China, or any other country which prohibits the import of prepared opium or dross opium, is illegal.

The export of prepared opium and dross opium to countries to which it is lawful to export them is only allowed under permit.

Similarly the export of morphine and compounds of opium to countries which prohibit their import is illegal.

Since April, 1910, the export of morphine and compounds of opium from Hongkong to Siam, the Netherlands-India, French Indo-China, Japan, the United States of America and the Philippine Islands is not permitted except on production of an official certificate from the country concerned that such morphine or compounds of opium are required for medical purposes or by the Government of the country.

His Majesty's Government made the Colony a grant of £9000 for the year 1910, on account of a loss of \$225,860 incurred during that year in respect of opium revenue.

Stringent regulations are in force for regulating the trade in cocaine, its derivatives and compounds, with a view to prevent their use as substitutes for opium.

In order to replace the revenue lost on opium, a law was passed on September 17, 1909, imposing duties on intoxicating liquors consumed in the Colony, and in this connection the Imports and Exports Office was reorganized, Lieut. Beckwith, R.N., the Assistant Harbour Master, being appointed Superintendent. By the close of 1909 a sum of \$101,844.20 had been realized from the new liquor duties.

The following statistics are taken from publications of the Maritime Customs:—

TOTAL NET IMPORTATIONS OF FOREIGN OPIUM.

(Piculs. 1 Picul=133½ lb.)

1863	50,087	1876	68,042	1889	76,052	1902	50,764
1864	52,083	1877	69,297	1890	76,616	1903	58,457
1865	56,133	1878	71,492	1891	77,445	1904	54,752
1866	64,516	1879	82,927	1892	70,782	1905	51,920
1867	60,948	1880	75,308	1893	68,108	1906	54,17
1868	53,915	1881	74,005	1894	63,125	1907	54,584
1869	53,310	1882	66,908	1895	51,306*	1908	48,397
1870	58,817	1883	68,168	1896	48,994	1909	48,875
1871	59,670	1884	68,819	1897	49,309	1910	35,447
1872	61,193	1885	65,259	1898	49,752	1911	27,57
1873	65,797	1886	67,801	1899	59,161	1912	22,021
1874	67,468	1887	73,877	1900	49,279	1913	18,194
1875	66,461	1888	82,612	1901	49,484	1914	7,484

The average annual importation by decades was as follows :---

	<i>Piculs.</i>
1863 to 1870	56,226
1871 „ 1880	68,765
1881 „ 1890	72,012
1891 „ 1900	58,726
1901 „ 1910	56,679

It is estimated that prior to 1887 at least 20,000 piculs were smuggled into China annually, while since that date the illegitimate trade has probably amounted on an average to 5000 piculs annually. The decrease in demand from 1888 on may be accounted for by the replacement of the foreign drug by native opium.

As the importation of foreign opium is often referred to in terms of "chests," it may be stated that the average net weight per chest of opium imported is as follows:—

	<i>Catties.</i>
Malwa	100 (=133½ lb.)
Patna	120 (=160 lb.)
Benares	120 (=160 lb.)
Other kinds, Persian, etc.	100 (=133½ lb.)

* In this year Formosa, which had imported between 1881 and 1890 on an average 4506 piculs annually, and in the four years 1891-1894 4829 piculs, was transferred to the Japanese flag.

APPENDIX IX

B.

THE HONGKONG OPIUM ORDINANCE.

The Opium Ordinance of 1919 is hereby Amended as follows:—This amendment was assented to by the Governor of Hongkong and the Legislative Council on February 21st 1913.

Amendment
of section 2,
Definitions:

- (a.) in section 2 thereof by the deletion of the definition of "Opium Divan" and by the substitution of the following definitions:—

"Opium
Divan,"

" 'Opium Divan' means and includes any place opened, kept or used:—

- (1.) for the sale of prepared opium or dross opium to be smoked in such place; or
- (2.) for the smoking of prepared opium or dross opium where a fee or its equivalent is charged for such smoking or where any benefit or advantage whatever, direct or indirect, is derived by the keeper of such place in consequence of the smoking of prepared opium or dross opium in such place; or where the opium dross or halan produced by any person smoking in such place is collected, received or retained by any person other than the smoker;

"Place,"

'Place' means and includes any house, room, office, agency, boat, vehicle or vessels or any erection movable or otherwise on any spot on land or water."

Repeal of
section 9 and
substitution
of new section
therefor,

- (b) by the repeal of section 9 thereof and by the substitution therefor of the following section:—

General
warehouses,

"9.—(1) The Governor-in-Council may appoint premises to be called General Warehouses for the warehousing of raw opium.

Licensed
warehouses,

- (2.) The Superintendent may, with the approval of the Governor, grant licences for the warehousing of raw opium in places, other than

General Warehouses, to be specified in such licenses and to be called Licensed Warehouses. The Governor may at any time cancel the license of any such warehouse and thereupon all raw opium warehoused therein shall be removed as the Governor may direct.

(3.) The boiling establishment of the Opium Farmers shall be deemed to be a Licensed Warehouse. Opium Farmer's boiling establishment a licensed warehouse

(4.) The Government-in-Council shall have power to make regulations to regulate the management of General Warehouses and to regulate the licensing and management for Licensed Warehouses. Regulations as to management of warehouses.

(c.) by the repeal of section 10 thereof and by the substitution therefor of the following section :— Repeal of section 10 and substitution of new section therefor.

“10 No master of any ship shall allow any raw opium to be discharged from his ship except on production of a permit in Form No. 3 in Schedule A unless such raw opium is received by the person in charge of a General Warehouse and forthwith stored in such Warehouse.” Duties of master before landing raw opium.

(d.) by the repeal of section 11 thereof and by the substitution therefor of the following section :— Repeal of section 11 and substitution of new section therefor.

“11.—(1.) No person shall remove any raw opium from any ship, except for the purpose of taking it from the ship to a General Warehouse, without a permit in Form No. 3 in Schedule A and except in accordance with the conditions contained in such permit. Permit for landing raw opium.

(2.) Such permit may in his discretion be issued by the Superintendent upon receipt of a requisition in Form No. 2 in the said Schedule and such permit shall be exhibited to the Opium Farmer or his agent and shall be signed by the Opium Farmer or his agent and shall not be used or acted upon until it has been so signed. Permits: how issued; form of.

(3.) In the case of any raw opium other than Indian opium certified for the China market the Superintendent may before issuing a Conditions of permit to land certain kinds of raw opium.

permit make it a condition of such permit that the raw opium in question is to be placed in a General or Licensed Warehouse.

Production of certificate of destination for China.

- (4.) In the case of raw opium certified for the China market the Superintendent may before issuing a permit demand the production of the certificate covering such opium."

Repeal of sections 12, 13, 14, 15 and 16 and substitution of other sections therefor. Permit to export raw opium.

- (e.) by the repeal of sections 12, 13, 14, 15 and 16 thereof and by the substitution therefor of the following sections:—

Permit how issued: form of,

- "12.—(1.) No person shall remove any raw opium for exportation without a permit in Form No. 5 in Schedule A and except in accordance with the conditions in such permit contained.

- (2.) Such permit may in his discretion be issued by the Superintendent upon receipt of a requisition in Form No. 4 in the said Schedule and the owner or shipper shall cause such permit to be exhibited to the Opium Farmer or his agent and such permit shall be signed by the Opium Farmer or his agent and shall not be used or acted upon until it has been so signed.

Production of shipping documents,

- (3.) Before issuing any permit for export, removal or transshipment, the Superintendent may demand the production of any shipping orders, bills of lading, certificates, permits or other documents relating to the opium in respect of which a requisition has been received and the person making the requisition shall on demand produce the same.

Export to prohibition countries illegal.

- (4.) No person shall export or aid or abet the exportation of any raw opium from the Colony or the waters thereof, unless such exportation shall have been notified in the *Gazette* in pursuance of any resolution of the Legislative Council as being illegal.

Memorandum of raw opium exported to be furnished to master,

- 13.—(1.) The Superintendent shall furnish the master of every ship carrying raw opium for export with a memorandum containing the particulars set forth in Form No. 5 in Schedule A and no vessel carrying raw opium shall depart from the Colony or the waters thereof without such memorandum.

- (2.) The master of any ship departing from the Colony or the waters thereof without the memorandum required by this section shall be liable on summary conviction to a fine not exceeding \$500. Penalty for departing without memorandum,
- 14.—(1.) No person shall move raw opium from one place to another within the Colony or tranship it in the Colony or its waters without a permit in Form No. 7 in Schedule A and except in accordance with the conditions in such permit contained. Permit for moving and transshipment of raw opium in the Colony.
- (2.) Such permit may in his discretion be issued by the Superintendent on receipt of a requisition in Form No. 6 in the said Schedule and shall be exhibited to the Opium Farmer or to his agent and shall be signed by the Opium Farmer or his agent and shall not be used or acted upon until it has been so signed. Permit: how issued; re-form of,
- (3.) In the case of any raw opium other than Indian opium certified for the China market the Superintendent may before issuing a permit make it a condition of such permit that the raw opium in question is to be placed in a General or Licensed Warehouse. Conditions of permit to move certain kinds of raw opium.
- (4.) In the case of raw opium certified for the China market the Superintendent may before issuing a permit demand the production of the certificate covering such opium. Production of certificate of destination,
15. The master, owner or agent of any ship by which opium may be imported shall within four hours after the arrival of such ship, as soon thereafter as the Office of the Superintendent shall be open, furnish to the Superintendent a true and correct statement of all opium imported therein. Duties of master, owner or agent after arrival of ship.
16. The owner or agent of any ship by which opium may be exported shall within twenty-four hours of the time of departure of such ship furnish to the Superintendent a true and correct statement of all opium exported therein which may have been entered on the ship's manifest or for the receipt of which for export such owner or agent or any person acting on their behalf may have issued a receipt to any person." Duties of owner or agent before departure of ship.

- Amendment of section 17.** (f.) in section 17 thereof by the deletion of the figures "9 10, 12, 13 and 16" and by the substitution therefor of the figures "10, 11, 12, 14, 15 and 16" and by the deletion of the words "five hundred dollars" and by the substitution therefor of the words "two thousand dollars or to imprisonment for a period not exceeding twelve months".
- Amendment of section 20.** (g.) in section 20 thereof by the deletion of the words "according to the permit" and by the substitution therefor of the words "if its situation elsewhere has been authorised by any permit according to such permit" and by the deletion of the words "five hundred dollars" and by the substitution therefor of the words "two thousand dollars or to imprisonment for a period not exceeding twelve Months".
- Amendment of section 35.** (h.) by the addition at the end of section 35 thereof of the following sub-sections:—
- Restriction on sales by Opium Farmer to other than his licensees without permit, Restriction on sales by licensees without permit,**
- "(7.) The Opium Farmer shall not sell to any person other than his licensees more than five taels of prepared opium at one time without the written permission of the Superintendent.
- (8.) No licensee shall sell more than five taels of prepared opium to any person at one time without the written permission of the Superintendent.
- (9.) No person other than the Opium Farmer or his licensees shall have in his possession more than five taels of prepared opium without the written permission of the Superintendent."
- Restriction on quantity which may be possessed by private person,**
- Amendment of section 36.** (i.) by the repeal of section 36 thereof and by the substitution therefor of the following section:—
- "36. It shall be unlawful for the Opium Farmer, his licensees or any other person whomsoever to export or cause to be exported prepared opium or dross opium from the Colony unless he shall have first obtained the permission in writing of the Superintendent who may require such particulars of desination, mode of despatch or otherwise as he may deem necessary.
- Provided always that this section shall not be construed as applying to the possession by a passenger by steamer from Hongkong to any country or place not within the Colony of a quantity of pre-

pared opium or dross opium, to be used for personal consumption on the voyage, not exceeding five mace for every day of duration of the voyage."

- (j.) by the repeal of section 37 thereof and by the substitution therefor of the following section :—

Repeal of section 37 and substitution of new section therefor.

"37. The Superintendent shall not issue any permit for the export of prepared opium or dross opium from the Colony to China, French Indo-China or to any country which prohibits the import of prepared opium or dross opium and it shall be unlawful for any person to export or cause to be exported any prepared opium or dross opium to China or French Indo-China or to any country which prohibits the import of prepared opium or dross opium.

No permit to be issued for export of prepared opium to prohibition countries.

Provided always that this section shall not be construed as applying to the possession by a passenger by steamer from Hongkong to China or French Indo-China or to any such country as aforesaid of a quantity of prepared opium or dross opium, to be used for personal consumption on the voyage, not exceeding five mace for every day of the voyage.

Provided also that the names of all countries which prohibit the import of prepared opium or dross opium shall be notified in the *Gazette*."

- (k.) in section 51 (2) by the addition before the full stop at the end thereof of the words "and shall be liable on summary conviction to fine not exceeding \$2,000 or to imprisonment for any term not exceeding twelve months".

Amendment of section 51 (2).

- (l.) in section 53 (5) by the deletion of the words "against this Ordinance" and by the substitution therefor of the words "and shall be liable on summary conviction to a fine not exceeding \$2,000 or to imprisonment for any term not exceeding twelve months".

Amendment of section 53 (5).

- (m.) by the repeal of section 59 and by the substitution therefor of the following section :—

Repeal of section 59 and substitution of new section therefor,

- "59.—(1.) The Governor may appoint in Form 1 in Schedule B such agents or servants of the Opium Farmer or other persons as may be

Appointment of excise officers.

approved of by the Governor to act as excise officers under this Ordinance, and may at any time revoke such appointment.

Security from employés of Opium Farmer when appointed excise officers.

- (2.) Where an agent or servant of the Opium Farmer is appointed the Governor may require the Opium Farmer to give security for the good behaviour and integrity of such servant or agent."

Amendment of sections 67 (1), 68 & 69.

- (n.) in sections 67 (1), 68 and 69 by the insertion in each case after the words "any Police" of the word "Revenue".

Repeal of section 73 and substitution of new section therefor.

- (o.) by the repeal of section 73 and by the substitution therefor of the following section.

"73.—(1.) All opium, other than raw opium, seized with regard to which any breach of any section of this Ordinance other than sections 35 (7), (8), (9), 36, 37, 76 and 77, or of any regulation made under this Ordinance, has been committed, together with any implements, may be forfeited by the Magistrate and in his discretion adjudged and delivered in whole or in part to the Farmer.

- (2.) All opium, other than raw opium, seized with regard to which any breach of section 35 (7), (8), (9), 36, 37, 76 or 77 of this Ordinance has been committed, shall be forfeited by the Magistrate to the Crown."

Amendment of section 76

- (p.)—(a.) in section 76 (1) by the deletion of the words "five hundred dollars, and, in default of payment, to imprisonment, with or without hard labour, for any term not exceeding six months" and by the substitution therefor of the words "two thousand dollars or to imprisonment for any term not exceeding twelve months".

(b.) in section 76 (2) by the addition after the words "to be forfeited" in the fourth line of sub-section 2, of the words "to the Crown" and by the repeal of the last seven lines of the section.

Amendment of section 77.

- (q.) in section 77 by the repeal of the proviso.

Amendment of section 78.

- (r.) in section 78 (1) thereof by the deletion of the proviso and the substitution therefor of the following proviso:—"provided that opium other than raw opium be not sold within the Colony, except

to the Opium Farmer, during the currency of the farm existing at the time of such forfeiture, and provided further that raw opium be not sold within the Colony except for export therefrom or except to the Opium Farmer, during the currency of the farm existing at the time of such forfeiture."

- (s.) in section 84 by the deletion of all the words after the word "conviction" and by the substitution therefor of the words "to a fine not exceeding two thousand dollars or to imprisonment for any term not exceeding twelve months." Amendment of section 84,
- (t.) in section 85 thereof by the deletion of the word and figure "section 77" and by the substitution therefor of the words and figures "sections 36, 37 and 77". Amendment of section 85,
- (u.) in Schedule A by the repeal of Forms Nos. 2, 3, 4 and 5, and by the substitution therefor of the following forms: Amendment of Schedule A,

FORM NO. 2.

[s. 11.]

New Form 2.

APPENDIX X.

SUPERVISION OVER OPIUM AGREEMENTS.

Extracts from the Preliminary Report by Sir W. Meyer to the League of Nations, dealing with Supervision over Opium Agreements.

The British Dangerous Drugs Act, 1920.

So far as the United Kingdom is concerned, legislative sanction was obtained for enforcing the terms of the Opium Convention by the Dangerous Drugs Act (10-11 Geo. V, Ch. 46) which came into operation on the 1st September, 1920. The principal articles are as follows:

Action taken in the British Empire generally.

Furthermore, regulations for restricting the traffic are being brought into effect and strengthened, where necessary in the self-governing dominions and other parts of the British Empire; and information regarding these regulations is being collected and will be communicated in accordance with Act 1 of the Convention. As regards India substantial effect has been given on the provisions of The Hague Convention and the Government of India have been asked by His Majesty's Government to examine the whole body of law and procedure and make such alterations and amendments as may be necessary to bring it into precise agreement with the provisions of The Hague Convention.

Action taken by British Foreign Office.

Lord Curzon in a circular-despatch of 22nd March, 1920, drew the attention of His Majesty's Representatives abroad to the obligations incurred under the Opium Convention. His Lordship went on to state there is reason to believe that, in spite of the efforts of His Majesty's Government and of the other Governments concerned, morphia produced in the United Kingdom is at present reaching the Far East in quantities largely in excess of the amount required for legitimate purposes, and His Majesty's Government are therefore of opinion that it is desirable that steps should be taken forthwith to regulate the export to all countries, whether their Governments are parties to the Opium Convention or not, of the drugs specified in chapter 3 of the Convention. . . An

arrangement has been made by His Majesty's Government with the United States, French and Japanese Governments whereby no consignment of morphia, or kindred drugs is allowed to be exported from the United Kingdom to any of the countries in question except on the production of a certificate from the Government concerned, stating that it is satisfied that the consignment is required exclusively for legitimate medical or scientific purposes, and will not be re-exported. -

His Majesty's representatives were instructed that it was desired to extend this system as widely as possible, and that the various Governments were to be approached with a view to ascertaining whether they would be prepared to enter into a similar arrangement with His Majesty's Government, without prejudice to any legislation of a stricter nature which they might introduce at a later date, in regard to their imports from the United Kingdom of medicinal opium and other deleterious drugs. At the same time they were warned that in the event of any country being unwilling to adopt this proposal His Majesty's Government might be obliged to refuse licenses. Replies to this circular have been received from 13 countries and although they raise a variety of different points which are now being dealt with, they are all favourable in character. The question of the adoption of similar arrangements by other parts of the British Empire has been recently submitted to the Governments and administrative authorities concerned for their consideration.

Action taken by the Postal Union Convention.

Finally, with reference to the Protocol of the Opium Convention, and the desire therein expressed that the Universal Postal Union should take steps to regulate the transmission of opium and kindred drugs through the post, it may be noted that under the terms of the present Postal Union Convention it is forbidden to send by post any article whatsoever of which the importation or circulation is prohibited by the country of destination. Many postal administrations, including the Chinese, prohibit or restrict under regulation the importation by post of opium and kindred drugs.

We have of course to face the difficulty that the United States and Germany are not yet members of the League, but it would surely be possible to move those Governments to forward to the League Secretariat the information which they would otherwise by Art. 21 of the Opium Convention, have to submit to the Netherlands Government. If they should take exception to this, they could still address the Netherlands Government, which would in turn pass the information on to the League Secretariat.

(Signed) W. S. MEYER.

APPENDIX XI.

RECOMMENDATIONS OF THE PHILIPPINE COMMISSION. IN 1904.

It is recommended—

(1) That opium and the traffic therein be made a strict Government monopoly immediately.

(2) That three years after that shall have been done no opium shall be imported, bought, or introduced into these Islands, except by the Government and for medical purposes only. (The time necessary to enable one accustomed to the use of the drug to discontinue the habit has been estimated at from six months to twenty years. It has seemed necessary to the Committee to state a definite period, after which the use of opium shall be prohibited, because the force of any law or Ordinance depends largely upon the exactness of the time at which it may be enforced. If a longer period than this were allowed, the time at which the *habitué* would begin to disaccustom himself to the use of the drug would be postponed indefinitely. Three years would seem to be a period of sufficient length. At the expiration of this time the Government will be in a position to determine what is wisest and best to be done.)

(3) That the use of opium shall be prohibited to all inhabitants of these Islands who are not males over twenty-one years of age.

(4) That only those males over twenty-one years of age who have licenses to use opium shall be permitted to use the drug.

(5) That licenses shall be issued to males over twenty-one years of age by the Government only when it is shown by sufficient evidence that said males are habitual users of opium, and would be injured by being compelled to discontinue its use suddenly. (It is to be noted that no distinction has been made among the various nationalities which reside in these Islands, as it is believed that the interests of equity and justice are thus best subserved.)

(6) That no person who is known to be an habitual user of opium shall be authorized to exercise the franchise or hold office under the Government of the Philippine Islands.

(7) That in case a native of these Islands (not a Chinese) violate any of the laws, regulations, or rules against the use of opium, he (or she) shall be punished for the first and second offences by fine and imprisonment, or by both, and for the third offence by being deprived of his (or her) right to exercise the franchise or hold office under the Government of the Philippine Islands.

(8) That in case a Chinese or other non-native violate any of the laws, regulations, or rules against the use of opium, he shall be punished for the first and second offences by fine or imprisonment, or by both, and for the third offence by deportation from these Islands, said deportation to last for at least five years.

(9) That the pupils in the public schools of the Philippine Islands shall be taught the evil and debasing results of the opium habits, and that a primer of hygiene containing this information (and such other as the Honourable the Secretary of Public Instruction may deem fit) be prepared and used as a text book in said schools. (That part of the primer containing the information relative to the use of opium might be translated into Chinese and distributed among the Chinese or published in the Chinese newspapers.)

(10) That all persons who are opium *habitués* and desire to be cured of the opium habit be admitted into hospitals, where they may be treated for the same, and that when such hospitals are under the control of the Government, a fee shall not be charged in the case of indigent persons who voluntarily enter the hospital for the purpose of receiving treatment for the opium habit; provided that nothing in this section shall prevent any person from entering any hospital, refuge, or other institution not under the control of the Government, which he may choose.

(11) That as the Committee is of the opinion that public places for the smoking of opium (fumatories) exercise a pernicious influence on the public, no fumatories be allowed in the Philippine Islands.

(12) That the written statement of the licensee and of two trustworthy persons, one of whom shall, when practicable, be a regular licensed physician, shall be considered sufficient evidence on which to grant a license.

(13) That the cultivation of the poppy for the purpose of producing opium shall be made illegal in the Philippine Islands.

If these findings and recommendations should be approved, it would seem advisable that opium already prepared for smoking, provided there be a demand for it, should be purchased and imported, as the establishment of the plant necessary to prepare the cooked opium (chandoo) is costly, and would be an unprofitable investment for the Government, provided that prohibition should go into effect after three years.

The plan outlined is, briefly, as follows:—

- (1) Immediate Government monopoly to become effective.
- (2) Prohibition, except for medical purposes, after three years.

(3- Only licensees, who shall be males and over twenty-one years of age, shall be allowed to use opium until prohibition goes into effect.

(4) All vendors or dispensers of opium, except for medical purposes, shall be salaried officials of the Government.

(5) Every effort shall be made (a) to deter the young from contracting the habit by pointing out its evil effects and by legislation; (b) to aid in caring for and curing those who manifest a desire to give up the habit; and (c) to punish and if necessary to remove from the Islands incorrigible offenders.

In working out the details of the plan the Committee recommended:—

(1) A head office or depôt in Manila where opium may be supplied to licensed consumers in Manila and to sub-offices (*entrepôts*) in such places as the Commission may select.

(2) These *entrepôts* will supply the licensed consumers in their vicinities.

(3) A system of entry, registration, and bookkeeping should be devised to keep accurate account of the quantity of opium sold each licensed *habitué*, so that it may be detected in case he is buying for others or increasing his own dosage. In that case the quantity sold should be diminished.

(4) The licenses should be licensed to buy at one depôt or *entrepôt* only, and should be required to show the vendor his license, a copy of which, together with a photograph of said licensee, should be furnished to the said vendor.

The Committee desires again to call attention to the fact that its work has been much hindered by circumstances over which it had no control—by the difficulty of securing sufficient clerical assistance, by the shortness of the time given within which to prepare the report, and by the fact that each member of the Committee was obliged to attend to rather important matters at the time the report was preparing.

If the efforts, views, conclusions, and recommendations of the Committee may in even a small degree serve to open a discussion of legislation concerning opium, they will not be in vain. It is expected that they will encounter opposition and disapprobation, but they are at least honest.

APPENDIX XII.

THE SIMPLE DETECTION AND QUALITATIVE TESTS FOR MORPHIA, ITS COMPOUNDS, AND DERIVATIVES.

By B. E. READ, Ph.C., M.S., UNION MEDICAL COLLEGE,
PEKING.

As noted in the *Lancet*,¹ twelve years ago, the attempts to abolish the opium traffic in China have led to the development of a heartless business which, under the pretext of supplying medicines calculated to alleviate the craving for opium, offers remedies which contain its essential principle. To-day, not only have we many of these heartless cures but also a widespread trade in the pure article which shamelessly flaunts itself before the public eye. All sane-minded people are both willing and anxious to help stamp out this appalling vice, yet, for lack of easy and ready methods to detect it, they are more often than not oblivious of its presence on every hand. Hence it behooves every hospital and dispensary in the land to acquire the information concerning the easy detection of opium or its derivatives, in whatever form they may occur.

The most impressive fact that one realizes, when delving into the literature of this subject, is the intricacy and subtlety of the chemist in devising specific tests for opium preparations by elaborate methods with rare drugs and chemicals quite outside the experience of the ordinary laboratory worker. The writer has analyzed many samples submitted for examination during the last twelve years, and perchance circumstance has forced the development of a much needed simple method. The following method should be of service to many others, whose work is limited to the use of simple hospital drugs:—

Take the powder or the pulverized material and add several times its volume of dilute sulphuric acid. Let stand overnight, then filter. Add one volume of hot chloroform and after the chloroform enough strong ammonia to make the solution alkaline; test with litmus paper. Mix, and after allowing the chloroform to separate, remove it with a pipette or by any other suitable means. Allow the chloroform to evaporate to dryness in an evaporating dish or a watch glass, and test the residue with a drop or two of Kobert's solution, i.e., strong sulphuric acid containing about five per cent of formalin, made by mixing two or three drops of formalin with

3 or 4 mils of strong sulphuric acid. An extract from an opium or morphia preparation will always give a vivid purple violet colour. Another spot on the dish may be tested with strong nitric acid, which gives with morphia an orange colour quickly fading to yellow.

If the sample tested be a white powder or of very small bulk, the above tests with formalin-sulphuric acid and nitric acid may be made directly, i.e., without mixing with acid and subsequently extracting with chloroform and ammonia. A few grains of powder under the microscope surround themselves with purplish-red or violet zones when treated with formalin-sulphuric acid.

From time to time, one sees the problem of the detection of opium or morphia approached from various angles, such as the toxicological detection of morphine in the various body organs.² Practically all of these tests are included in a general statement of the reactions of morphia with various test solutions and reagents. The other compounds of morphia very occasionally met with, such as heroin (diacetyl morphine), peronine (benzyl morphine), dionine (monoethyl morphine hydrochloride), etc., respond to a number of these tests as indicated. These are given here for use of the more expert worker, in the order found to be most useful to the writer.

1. Robert's test, as mentioned above. Dionine, heroin, codeine and most morphia compounds give a similar reaction.³

2. Morphine gives with strong nitric acid an orange colour, changing to yellow. Codeine and heroin give only a light yellow colour.⁴

3. Morphine, or its compounds, is precipitated by all the usual alkaloidal reagents: e.g., Picric acid, potassiomeric iodide, iodopotassium iodide, etc.

4. Morphine gives a blue colour to a paste of ammonium molybdate in strong sulphuric acid. Sensitive to one hundredth of a milligram. Titanic acid and tungstates give similar reactions.³

5. Morphine and its salts give a blue colour with ferric chloride solution, this is assisted by the presence of acetic acid. Heroin, codeine and dionine, give this reaction after heating with sulphuric acid.⁴

6. A trace of morphine added to 5 mils of very dilute potassium ferricyanide to which has been added a trace of ferric chloride produces a deep blue colour. Peronine, codeine, and dionine do not give this colour. Heroin gives this reaction after heating with sulphuric acid.⁴

7. Steam heated with strong sulphuric acid cooled and (a) treated with diluted nitric acid, morphine produces a violet colour rapidly changing to blood red, (b) treated with sodium arsenate, morphine produces a bluish green colour.⁴

8. Morphine liberates iodine from iodic acid, giving a blue with starch paste. Peronine, heroin, codeine, and dionine, fail to liberate iodine.⁴

9. Lloyd's test. A mixture of morphine and hydrastin mixed with a few drops of sulphuric acid develops after about five minutes a blue-violet colour. This is specific.³

10. Morphine heated gently with a few drops of concentrated sulphuric acid and a little pure potassium perchlorate gives a pronounced brown colour.⁵

11. A five per cent solution of sodium phosphomolybdate produces with morphine solutions a yellow precipitate soluble in ammonia.

12. Sulphuric acid containing a crystal of potassium bichromate after some time may give a green colour. Strychnine gives a purple colour.⁵

The above simple chloroform extraction method is dependent upon the solubility of morphia in ammoniated chloroform. The standard solvents usually quoted are, hot amyl alcohol,³ cold acetic ether, and a mixture of equal parts of ether and acetic ether. Various technical objections have arisen concerning amyl alcohol, and it is very doubtful if amyl alcohol is to be found in two hospitals in the country. Acetic ether needs to be particularly free from acid and generally pure; it also is a rare thing to the average person in the Far East. Ether is strangely quoted as a solvent, it should be taken good note of here by any laboratory worker unacquainted with the fact, that morphia is almost insoluble in ether, for upon this is based the present British Pharmacopœial method of extraction and assay. With regard to the solubility of morphia in chloroform, statements vary considerably, ranging from one in 1220 at 25°C. in the U.S.P., to one in 4167 at 15.5°C. in the B.P.C. Squire very aptly remarks that the solubility depends greatly on the physical condition of the substance.⁶ The extraction with ammoniacal chloroform, as recommended above, provides the most favorable circumstance for almost complete extraction and solution of the alkaloid. The solution is rendered warm by neutralizing and alkalizing with ammonia; the precipitated alkaloid is in an anhydrous non-crystalline form and is taken up directly by the hot chloroform. From opium other alkaloids may be extracted together with the morphia, but they in no way interfere with the simple tests indicated.

In order positively to guarantee the solubility of morphia and its derivatives in ammoniacal chloroform, known amounts were taken and extracted with chloroform.

One gram of morphine hydrochloride, codein phosphate, dionin, and heroin hydrochloride, respectively, were each dissolved

in 100 mils of dilute sulphuric acid. 100 mils of chloroform were added in separatory funnels and each was made alkaline with 30 mils of strong ammonia. After rotation, the chloroform was separated off. The remaining aqueous solution was agitated with two further portions of 50 mils of chloroform. The mixed chloroformic solutions of the alkaloid were in each case evaporated to dryness at room temperature with the aid of an electric fan. The dry residue was titrated with decinormal sulphuric acid. They yielded dionin 76%, morphine 80%, heroin 86%, codein 93%. From these high values one would not be far wrong in assuming that hot chloroform in place of cold would make a total extraction of the substance.

For a qualitative test this makes a most simple experiment, the residue so obtained giving the following results with the different reagents used :—

<i>Tested with</i>	<i>Morphine</i>	<i>Codein</i>	<i>Heroin</i>	<i>Dionin</i>
Formaline-sulphuric acid	vivid purple	viv. purple	viv. purple	viv. purple
Nitric acid	orange	light yellow	light yellow	yellow
in KI	brown ppt.	brown ppt.	brown ppt.	brown ppt.
Picric acid	yellowish ppt.	dense ppt.	yellowish ppt.	dense ppt.
Potassio-mercuric iodide	yellowish white	yellowish white	yellowish white	yellowish white
Ammonium molybdate-sulphuric acid	violet turning blue	violet blue	violet blue	violet blue
Ferric chloride	blue	no effect	no effect	no effect
Prussian blue test ..	deep blue	no blue col.	no blue col	slowly green
Sulphuric and nitric acids	violet to blood red	blood red	blood red	blood red
Iodic acid and starch	blue	no colour	no colour	no colour

Morphia gives a characteristic blue colour with ferric chloride, also with iodates and starch.

Heroin, when warmed with alcohol and sulphuric acid, gives the odour of ethyl acetate.⁴

Dionine is differentiated by its solubility. Half a gram dissolved in five mils of distilled water gives a precipitate with ammonia (S. G. 0.910) which re-dissolves on addition of about five mils of ammonia, from which the free base separates in a short time.

Codein under similar circumstances is permanently dissolved.

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1. Anon, 1909 *Lancet*. Vol. 1, p. 57.
2. Gérard, Deléarde, and Ricquet. 1905 *P. J.*, Vol. 2, p. 617.
3. Blyth, A. W., *Poisons : Their Effects and Detection*, London, 1906, p. 300.
4. *British Pharmacopœia*, London, 1914, p. 249.
5. *Allen's Commercial Organic Analysis*; Philadelphia, Vol. VI, p. 380.
6. Squire, *Companion to the British Pharmacopœia*, London, 1916, p. 890.

APPENDIX XIII.

INDIA PROHIBITION OF EXPORT OF POPPYSEED.

NOTIFICATION.

Government of India,
Department of Commerce,
Delhi, 19th March, 1921.

POST OFFICE.

In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), as amended by Act XII of 1914, the Governor General in Council is pleased to prohibit the export of poppy seed from British India to China.

(*signed*) C. A. INNES,
Secretary to the Government of India.

APPENDIX XIV.

Resolution Passed by the British Chambers of Commerce at Shanghai, 7th November, 1919.

'This Conference of British Chambers of Commerce assembled at Shanghai is convinced of the necessity for immediate action by the British Government with regard to the opium and drug traffic, and that in the best interests of Great Britain's prestige and of her commerce in the Far East, the Government should give immediate effect to the various measures which the International Opium Convention agreed to in 1912 at The Hague Conference in respect to "Raw Opium," "Prepared Opium," "Medicinal Opium," "Morphine, Cocaine," etc., without waiting for the ratification by other countries, and would especially urge the British Government to control the production of such habit-forming drugs and to limit their production to the amount required for legitimate medical use, and to limit their export to such countries as have established laws and regulations which effectively control the traffic in these drugs and restrict their use to legitimate purposes only.'

Resolution Passed by the British Chambers of Commerce at Shanghai, November, 1920.

'That this conference welcomes the intention of H. M. Government, as evidenced by the Dangerous Drugs Act of 1920, to control the traffic in opium and its derivatives, but fears that these efforts will be to a great extent nullified unless the Chinese Government and the Foreign Powers are prepared to co-operate effectively in preventing the cultivation, import or sale of these drugs in any part of the country'.

CORRIGENDA.

(1.) The heading of page 219 should read:—

**TOTAL NET IMPORTATION OF FOREIGN OPIUM INTO
CHINA** and underneath this heading should appear the
last two lines of page 218, namely,

The following statistics are taken from publications of the
Maritime Customs:—

(2.) On page 173 the heading “Appendix IV” should be deleted,
and the following text taken as following directly on that of
page 172.

INDEX.

All references are to pages.

In view of the fact that opium is the principal subject of this book, it has been thought advisable in this Index to use the word "opium" as seldom as possible; hence it is omitted as a qualifying word whenever possible without ambiguity. It is therefore to be understood before such general terms as *farm, revenue, trade, import*, which should generally be read as *opium farm, opium revenue, opium trade, opium import*, unless the nature of the case or an indication to the contrary precludes such reading.

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